DISCUSSION OF THE REPORT OF THE AGRICULTURAL DEBT REDEMPTION COMMITTEE—(*contd.*)

PRESIDENT : The next item on the agenda is the consideration of the Report of the Agricultural Debt Redemption Committee. It was started on the last occasion and recommendation No. I which stands in the name of Mr. Kunjukrishna Pillai was under discussion. A few honourable members have already spoken, *viz.*, Mr. T. P. Velayudhan Pillai, Mr. S. J. Nair, Mr. A. S. Damodaran Asan, Mr. P. C. Kuriyan, Mr. Pottayil S. Krishna Panickar and Mr. E. V. Krishna Pillai. Now the House will resume discussion.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): On the amendment submitted by Mr. Kunjukrishna Pillai, I submit another amendment which I understand the honourable member, Mr. Kunjukrishna Pillai, has no objection to accept. It comes as a proviso to the amendment that he has proposed and deals with some of the details of the recommendations contained in the report.

I shall only briefly refer to it. These amendments naturally fall under five groups. The first refers to the recommendation made by the Committee with regard to the expectations that the creditors and the debtors will have in the Land Mortgage Bank. The recommendation made in the Report appears to be self-contradictory. In one place they say that the State should not directly finance the debtors, but in another place they say that the Land Mortgage Bank should immediately undertake the work. It is conceded in the report that the Land Mortgage Bank still forms part of the Government machinery. It has no legal existence apart from Government. It is said that:

> "the bank should be provided with adequate funds to meet the large demands that may be made on it, in consequence of the operation of the Boards. The funds that would be required may be placed at the disposal of the bank, to some extent, in cash, but mainly by issuing debentures. Debentures may be issued to the creditors to the extent of the conciliated amounts, provided the security offered by the debtor is adequate for the purpose."

Now, Sir, I do not understand the distinction between these two recommendations.

PRESIDENT ; I take it that the honourable member is moving his amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Yes, Sir ; the first portion of the amendment.

PRESIDENT : Before he continues his speech let me emphasise once more that Government are anxious that the discussion of the Report should be completed before the House rises for the day. So I consider it necessary at this stage to lay down the time-limit.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : It has already been laid down by the Deputy President. (Cries of *No, No.*)

PRESIDENT : What I say is that no speaker will be allowed more than 10 minutes. Unless the discussion is regulated in that way, it cannot be possible to finish the discussion before the House rises for the day.

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MR. A. S. DAMODARAN ASAN (*Mavelikara*): We are now discussing Mr. Kunjukrishna Pillai's amendment. May I know whether each of these points has to be discussed and put to vote separately?

PRESIDENT: Each recommendation consists of a number of sub-heads. I suppose it is not right to put the whole amendment together to vote. Some members may vote in favour of some points and others against other points. So, each amendment has to be moved separately so that each item will be put separately to vote.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Amendment No. 2 has been moved in this House, in addition to Mr. Kunjukrishna Pillai's amendment.

MR. K. R. ELENKATH (*Kalkulam I*): Mr. Puthupalli Krishna Pillai's amendments are distinctly contrary to the suggestions made by Mr. Kunjukrishna Pillai.

PRESIDENT: Amendment No. 1 is not directly contrary. It is only supplementary.

Well, I am afraid there is something in the point of order. So far as sub-clause (1) is concerned, it cannot be regarded as a distinct one from the original recommendation. It is merely supplementary. To that extent, I think, Mr. Puthupalli can move it. With regard to items 2, 3, 4 and 5, they have got their own tales to tell. They are not exactly bearing on Mr. Kunjukrishna Pillai's amendment. Therefore they will become a separate recommendation by themselves and be moved as separate recommendations and not amendments. So, Mr. Puthupalli will speak only on item No. 1 of the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish just to speak one word. There are a number of amendments and if the discussion be necessarily confined to that amendment alone, every honourable member may not find opportunity to speak upon the other amendments and also upon the report as a whole. So what I would suggest is that, within the time-limit allotted, each member may speak on that amendment and in that speech he may be allowed to touch upon the other points he wants and each amendment may be put to vote separately.

PRESIDENT: That is what I am also thinking of.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I move:

That until the Land Mortgage Bank is reorganised as recommended by the A. D. R. Committee—

(*a*) the present maximum of Rupees five thousand be not altered;

(*b*) that debentures be not issued;

(*c*) that the proposal for selling the secured land for defaulted instalments with the liability that the lands in the hands of the purchaser be liable for the future instalments as they fall due be not accepted;

(*d*) that no inducement be offered, before or after the recommended legislation that the Land Mortgage Bank or Government will be prepared to advance money to the debts composed by conciliation.

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So, Sir, the first point that I wish to impress upon the Government is that Government should not do anything which will involve them in grave financial commitments. There is absolutely no difference between the statements that Government should finance through the Land Mortgage Bank or that Government may issue to the creditors debentures to the extent of the conciliated debts. Both these statements more or less mean the same thing. Until the Land Mortgage Bank is converted into a Joint Stock Bank, 50 per cent. financed by the State and 50 per cent. by the people, Government should not undertake the huge financial commitments. If, on the other hand, Government are going to issue hundreds of thousands of rupees worth of debentures, I am sure, Sir, that in course of time these bonds will pass on to the hands of the capitalists in the State which will ultimately make Government a huge debtor to the capitalists. Under the present financial possibilities of the State, it would not be possible for Government to liquidate all the debts or to meet all the demands. Government will find it extremely difficult. Therefore, Sir, until this Land Mortgage Bank is reorganised as recommended by the Committee, Government should not commit themselves to or accept the recommendations made in this report so far as financial aid is concerned. Clauses (*a*), (*b*), (*c*) and (*d*) only refer to the details in regard to that.

My amendment (*a*) to the amendment proposed by Mr. Kuniukrishna Pillai says that the present maximum of Rs. 5,000 shall not in any event be altered. The Committee says that it should be struck off. If this recommendation is accepted and if the maximum limit is taken away, then I am sure, Sir, that the first demand that will be made on the Land Mortgage Bank will be by a creditor for an amount of 5 lakhs of rupees and I am quite sure that that demand will have to be met first. If it were to go on like that, Sir, the poor agriculturist, the small debtors and creditors, will eventually find themselves shut out from the Land Mortgage Bank. I am therefore opposed to any recommendation enhancing the present maximum of Rs. 5,000. But, Sir, for meeting cases of emergency, this maximum may vary from Rs. 5,000 to Rs. 7,000 or Rs. 10,000. But, all the same, there should be a maximum.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): With reference to the observation that, until the Land Mortgage Bank is placed on a Joint Stock basis, no financial aid should be given by Government as recommended by the Committee, may I know what the financial aids are?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, in the first place, it is stated at page 121 as follows:

> "Even before legislation is embarked upon, Government should try to effect conciliation between debtors and creditors by offering inducement that the Land Mortgage Bank or Government will be prepared to advance money wherever a debtor and all his creditors are prepared to bring down the total debt to the amount that may reasonably be advanced upon the security of the immovable property that may be offered by the debtor."

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[Mr. Puthupalli S. Krishna Pillai.]

Sir, that is the recommendation. It says that, before the Land Mortgage Bank is put on a statutory basis as a separate entity, Government must offer inducement. It should be an offer which should have good faith in it. Government should not offer for the purpose of effecting conciliation. It should be an honest offer. If such an offer were made, Government would not find the necessary funds to meet demands. They will have to issue debentures. And as regards debentures, I am opposed to any debentures being issued. I am opposed to Government becoming a debtor in the creditor's hands. Clause (*c*) and (*d*) only refer to the details in regard to this recommendation. I am decidedly of opinion that this recommendation should not be accepted until the Land Mortgage Bank is placed on a statutory basis. Until that time, the *present* maximum figure should not be raised.

There are one or two other things contained in the Committee's report which I am unable to accept.

PRESIDENT: You are not speaking on the amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I am offering my criticisms on Mr. Kunjukrishna Pillai's amendments.

PRESIDENT: What about your other sub-clauses?

Matters contained in other sub-clauses, I have already ruled, will be considered as separate amendments and you will have to move. We are discussing item No. 1 and any amendment that is relevant to any of the sub-clauses to recommendation 1, can alone come up for discussion. It is only after that that you can go to other points.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Mr. Kunjukrishna Pillai's amendment contains about half a dozen recommendations and one of them is proposed as an amendment. About the others, I may be permitted to offer my observations.

PRESIDENT: I am afraid you have already exceeded your time-limit. So be brief.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, this report wants to maintain an invidious distinction between the ordinary creditor and the chitty foreman creditor. It must be understood that chitty foremen form one set of creditors. Sir, the chitty foreman is a creditor so far as prized subscribers are concerned and he is a debtor so far as non-prized subscribers are concerned. That is the mutual relationship between a chitty foreman and his subscribers. In the report it is said that a chitty foreman should have preference over other creditors; that is, he can recover the arrears with 12 per cent. interest on all the defaulted subscription and that immediately. But when a subscriber goes to the court and sues for his money, it is the general rule that is applicable. In such a case the court can order that the subscriber shall receive his money in twenty years' time and that only with 4 per cent. interest. I am prepared to substantiate, if time is allowed, that this distinction should never be allowed.

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With regard to paddy loans which secure interest at more than 12 per cent. the Committee have recommended that the rate shall be reduced to 6 per cent. or one-half of the contract rate whichever is larger. In the case of money loans for which the creditor could obtain 12 per cent. interest under the law, the Committee say that it may be reduced to a rate between 4 and 6 per cent. In the case of paddy loans given at 20 per cent. interest, the Committee suggest that it may be reduced to 6 per cent. Sir, that is a thing which affects a small number of creditors or one particular class of creditors. The reduction from 20 to 6 per cent, I submit, should not be sanctioned. Every creditor should be equally hit. Every creditor should be compelled to make equal sacrifices. If I am a creditor who has advanced in the shape of money, I am asked to forego a certain proportion. The same proportion should be maintained in the case of paddy also. I am not for a reduction below 12 per cent. in the case of paddy loans.

It is said that the law of foreclosure should be immediately brought into effect. If there is any moment in the history of Travancore in which the law of foreclosure should not be enacted, it is this. It is owing to the economic depression that no debtor is able to pay his creditor. If that is so, what is the fun of giving this new power to the creditor?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Foreclosure is recommended only for mortgage with possession.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): It is about that I am speaking. Under the existing law there is an opportunity for redeeming the property. That opportunity will be lost. That is the rule contained in the law of foreclosure. My submission is that the law of foreclosure should not be made applicable to existing mortgages but that it may be made applicable only to the new mortgages that come into existence after the proposed legislation.

Again, Sir, there is a distinction sought to be maintained between a banker-creditor and an ordinary creditor. In the case of a banker who has been receiving deposits in the ordinary course of business and has been using loans, the Committee have recommended that he shall be entitled to 9 per cent. interest. Whereas if I have advanced Rs. 200 out of my hard-earned income, I shall be able to claim only 4 per cent. Why this invidious distinction? Why is it that the Committee are unable to say that the banker-creditor should be put on the same footing as the other creditor? Why should it say, Sir, that the banker must get 9 per cent. while the ordinary man shall get only 6 or 4 per cent? I am averse to that sort of distinction. If there is a law, it should be a law under which every person in this land shall make equal sacrifice and shall have rights and equal privileges. Therefore, in regard to that Sir, no invidious distinction shall be maintained.

MR. K. R. ELENKATH (*Kalkulam I*): In that case, will not the creditor-depositor be affected?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): To some extent, if the contract rate of interest is far more than 6 per cent.

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MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): The recommendations of the Debt Redemption Committee and the relief measures that they suggest may be broadly classified into temporary measures for the present crisis and permanent arrangements for the future. At the outset I may say that I am in entire agreement with the latter class of recommendations. Those recommendations relate to (i) future policy regarding arrest and imprisonment of debtors (ii) future method of dealing with paddy loans (iii) reorganisation of the Land Mortgage Bank and (iv) future financing of agriculture.

In regard to the temporary proposals, I may say that the Committee seek to usher in a millenium for the debtor, by eliminating all existing debts by certain devices. Those devices are mainly four in number:

(1) reduction of the rates of interest, past and future,

(2) reduction of the principal amount itself by the creation of Debt Conciliation Boards.

(3) amendment of the Civil Procedure Code with respect to sales of property in execution of decrees and recovery of decree debts in instalments.

(4) changes in the law of transfer of immovable property with respect to usufructuary mortgages.

I am opposed to every one of these proposals. I propose to deal with them one by one, time permitting.

In regard to the reduction of rates of interest, the proposal is to reduce interest on all past transactions even from 1105 and to prescribe a lower rate of interest by means of a legislative enactment. The proposal with respect to the reduction of past interest by means of a legislative enactment, the proposal for such a kind of retrospective legislation amounts to sheer expropriation of the creditor, which is not in any way different from a proposal to deprive a citizen of his property by stealth or by robbery.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I point out to the member that the recommendation of the Committee in this respect relates only to interest yet due?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Yes. I know that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I take it that what the member means by 'retrospective in this matter is that the interest was due for a past period although it has not yet been paid?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): It is interest that has already accrued, but has not been paid so far. Interest accrued, though not actually paid, is none the less the property of the creditor.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The recommendation will apply only when the interest is paid.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Yes.

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I may just say a word about interest rates in Travancore. Conditions in Travancore in this respect are entirely different from what they are in British India, or in places like Bhavanagar or Mysore. The maximum rate of interest has been fixed here by legislation. Section 31 of our Civil Procedure Code, which is a re-enactment of Regulations I and IV of 1010, deals with the rates of interest, and says—

> "In suits for money no Court shall in respect of the period antecedent to the institution of the suit, allow in its decree a higher rate of interest than twelve per cent per annum and the amount adjudged as interest for such period shall not exceed one-half of the principal amount sued for".

And, this provision has been in existence in our country for over a century.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): May I point out to the member that we are now legislating for extraordinary and abnormal conditions which now prevail?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): I shall answer that question later, Sir.

In Mysore, I am told, the rate of interest varies from 48 to 75 per cent.; in Bhavanagar from 38½ to 75; in the Punjab from 36 per cent. to 50 per cent. In all these places the Courts have awarded even up to 36 per cent. Certainly one can understand legislation to help the debtor in such places.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When was the Madras or the Mysore legislation, regarding debt relief, passed?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): In Mysore, I believe, it was a few years back. In Madras the Bill is on the anvil even now.

The Report of the Mysore Committee distinctly says that they do not consider it expedient to upset contractual relationship by any retrospective legislation of any sort. For the first time I think in the history of Travancore the Debt Redemption Committee has now recommended retrospective legislation, and that in spite of the fact that we have on our statute book an enactment which is over a century old, limiting the maximum of interest. When our Civil Procedure Code was introduced in the old Legislative Council, this is what they had provided in the Bill:—

> "In suits for money, no Court shall in respect of the period antecedent to the institution of the suit, allow in its decree a greater rate of interest than 18 per cent per annum, and the amount adjudged as interest for such period shall not exceed the principal amount sued for".

The Government strongly advocated that a maximum of 18 per cent. should be put in.

(At this stage the President left the hall and the Deputy President took the chair).

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I draw the attention of the Chair to the ruling that no member shall take more than ten minutes for this discussion?

DEPUTY PRESIDENT: Mr. Sambasiva Aiyar began at half-past twelve; he has about two minutes more.

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MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : During the debate on the Civil Procedure Code Bill, the then Law Member argued that it was very difficult even then for the agriculturist of the country to get credit, that money was not flowing in as it ought to, and that therefore there must be freedom of contract. It was stated on behalf of the Government that they would however fix a maximum limit of 18 per cent. But, somehow or other, that proposal was not accepted, and the maximum rate was fixed at 12 per cent. I submit, Sir, the agriculturist, of our country, will find it extremely difficult, almost impossible, to get the credit that he needs if the rate of interest is abnormally reduced further by means of legislation. Moreover the rate of interest that we fix for Travancore must have some comparison with the rates obtaining in our neighbouring Provinces like Cochin or British India, lest Travancore money flow out into those Provinces.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Did the credit of the Travancore agriculturist suffer on account of the maximum limit of interest fixed by our Civil Procedure Code ?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : Yes, to some extent.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Does the member really suggest that during the last one century and more during which period we have been having statutory restriction of the rate of interest, the Travancore agriculturist has been suffering in his credit ?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : Yes, Sir, to some extent : because in almost every transaction he has had to pay heavy *vattoms* to the money-lender, so that including the *vattoms* the creditor made up the interest that he could get in British India and elsewhere. This subject is well discussed in the statement of 'Objects and Reasons' to the Civil Procedure Code Bill of 1100 wherein the Law Member who introduced that Bill proves how the credit has suffered. (*President's bell.*) I may have just a minute more, Sir.

DEPUTY PRESIDENT : The time-limit has been fixed. However, you may say a sentence or two more.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) There is no justification for the Government stepping in and helping one class of capitalists as against another class of capitalists. Certainly nobody will object to the actual cultivator of the land being helped in really deserving cases. Why should the Government help the large-scale planter ? My point is that it is the rubber planter, that is now carrying on the agitation for debt relief by Government interference, but that he cannot be called an 'agriculturist'. The definitions given to the terms 'agriculturists' and 'agricultural debt' are so wide that almost every man in the State is an agriculturist and almost every debt an agricultural debt. This should on no account be accepted.

With regard to the proposal for the creation of Debt Conciliation Boards, I am completely opposed to the idea.—(*Presidents' second bell*). I should have liked to discuss the other proposals also, but the Deputy President's bell is against me.

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MR. K. M. KURIAKOSE (*Muvattupuzha II*): Within the limited time at my disposal I propose to make only some general observations about the Report. I do not think I will have time to refer to each individual point.

Sir, it is an admitted canon of all civilised Governments that they exist for the maximum good of the maximum number of people. In Travancore therefore we can boldly assert that the Government exist for the benefit of its agriculturists; because it is admitted on all hands that agriculture is our chief industry, that the agriculturists form the backbone of the country. The peasantry of the land has been subjected to extreme suffering on account of extraordinary and abnormal conditions over which we have no control. This has been realised well by the Government as well as by the public in general. That was why this Committee was constituted with the explicit purpose of saving the agriculturists from the present abnormal situation.

In spite of the eloquent speech of my predecessor Mr. Sambasiva Aiyar, in spite of the arguments that he put forward, I must say, Sir, that he was unable to prove that the situation is not abnormal. Everywhere the agriculturist is desperate and the only solution is to give effect to the recommendations made by this Committee. We realise that we have not got enough time to discuss the Report in detail in all its aspects. Therefore the only course left to us is to support the various amendments proposed by Mr. Kunjukrishna Pillai and to make it possible for the Government to have some workable scheme. We have no time to take up the various amendments that have been sent up by various members. The problem has to be immediately solved.

DEPUTY PRESIDENT: Why not you mention your points? That will be more useful.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, the Dewan-President this morning has definitely made us to understand that, unless we arrive at some definite conclusions today, the matter will be postponed till the next session. From the numerous amendments suggested by various members, I am afraid, Sir, that we are going to make matters complicated. If we take all these for discussion, we will be only entering a maze out of which we may not get out today. I therefore appeal to this House to strictly confine ourselves to the amendments of Mr. Kunjukrishna Pillai. They are almost comprehensive and the issues are clear cut. Further details can be discussed when the Bill is before us. Then we will have ample time. I hope that the other members who have sent in amendments would be sensible enough to withdraw them and thus expedite our work which, we all admit, is so serious and vital at this critical juncture in the history of our land. With these words, I support all the amendments of Mr. Kunjukrishna Pillai and oppose all the others.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Does the member advocate the Committee's recommendation that the Government

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[Mr. Puthupalli S. Krishna Pillai.]

should advance the money required for settling these debts and that they must raise such money by issuing debentures?

MR. K. M. KURIAKOSE (*Muvattupuzha II*): I support that suggestion also.

MR. T. K. ALEXANDER (*Kunnatnad I*): Let me first thank the Government for having appointed a Committee to enquire into this huge problem of agricultural indebtedness.

DEPUTY PRESIDENT: Have we not proceeded far away from all that, Mr. Alexander? (*Laughter*).

MR. T. K. ALEXANDER (*Kunnatnad I*): I also thank the members of the Committee for their excellent Report.

Travancore is an agricultural country; and on account of the recent abnormal conditions prevailing in the country, the agricultural population deserves sympathy at the hands of Government.

In regard to the recommendations made by the Committee, I am glad I agree with the main recommendations. But I have grave doubts, great apprehension about the amendments proposed by Mr. Kunjukrishna Pillai to restrict the number of instalments for the repayment of the debts to twenty years. In this respect I request Government to make a difference between creditors like corporate bodies and also the money-lending classes and banks. Suppose a private person, an agriculturist has given Rs. 500 or Rs. 600 on loan; if this money is to be repaid to him in the course of 20 years, it will be doing a great deal of injustice to him. So, some difference should be made in his case.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Does he plead for 20 years in all cases or according to the merits of each case?

MR. T. K. ALEXANDER (*Kunnatnad I*): When there is a chance of repaying in instalments in the course of 20 years, the debtors will find it easy to do so. But not so in all cases.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Does the member think that, if the period is made forty years, it will be more beneficial?

MR. T. K. ALEXANDER (*Kunnatnad I*): I did not say that. It may be beneficial to creditors like bankers or other such institutions but not to individual money-lenders who are agriculturists.

As regards interest, I should like to support the amendment of Mr. Kunjukrishna Pillai.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): If we analyse the weighty recommendations of the A. D. R. Committee and the amendments before the House, we notice certain points calling for a definite verdict of the House. The first is whether State interference is necessary at this time. I hope it will be conceded by all fair-minded persons that an abnormal situation has arisen because of the great depreciation in the value of agricultural produce and of property,

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necessitating some kind of State interference. The difference of opinion on that point relates only to the degree of interference. Every one will agree that only the minimum interference is salutary. Economic laws cannot be lightly set aside by legislation. I hope the best thanks of the public are due to the A. D. R. Committee for the eminently reasonable and moderate proposals that are contained in their report. The report has left the ultra speculative agricultural debtors and the fire-eating creditors thoroughly unsatisfied. That shows that the Committee have followed a reasonable middle course.

Having established the need for State interference, the second point for the consideration of this House is whether there should be a reduction of interest and, if so, whether that reduction should be retrospective. My submission is that there should be a reduction in the rate of interest and that it should apply in the case of all loans from 1105 onwards because of the depreciation in the value of the agricultural produce from that time and that no distinction should be made in the case of chitty foremen and bankers. The same rate must prevail in the case of all.

The third point is in regard to Conciliation Boards. Sir, I myself have tabled an amendment on this point. Personally I do not believe in constituting non-official boards and I have my own doubts whether they will function properly. If conciliation boards were to be instituted through courts for each case when each case actually arises for decision I think that they will serve a more useful purpose. At any rate, this is a vital point for the very careful consideration of this House.

The fourth point is that the Land Mortgage Bank should extend its activities and debenture bonds should be issued by the Government so that the consolidated debts might be liquidated through the Land Mortgage Bank. This is the basic recommendation of the A. D. R. Committee; and Government must accept this at once and act upon the same. There is a peculiar transaction very prevalent in Ambalapuzha, Shertala and Vaikom where monies are raised on mortgage of property with possession known as [illegible] or *Nadappu Panayam* and *Pattachit*. On some technical plea that the applicant is not in legal possession. Land Mortgage Bank authorities reject loans applied by debtors of this description. Hence the ryot or the agriculturist fails to get relief now from Land Mortgage Bank. That impediment must be immediately removed. Transactions involving mortgage with possession as recommended by the Committee must also come within the purview of hypothecation debts. Under the existing circumstances there is much larger room and scope for harm in the case of those transactions I shall make my position clear by an illustration. I mortgage my property for Rs. 100 to B with the intention only of creating a charge on my properties for the loan. I have not got to part with the possession of my land. I want the money at once badly. My creditor realizing my urgency exploits the situation and on his insistence I include half a dozen survey numbers covering 2 or 3 acres of land

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[Mr. Edavanatt S. Padmanabha Menon.]

The sentiment and self respect attaching to one's own property is proverbial. There is also the harmful provision that if rent is defaulted for six months interest should be paid on the rent so defaulted with the result that the whole thing works at compound interest.

DEPUTY PRESIDENT: In regard to the former portion of your argument is not a mortgage indivisible under the law as it is.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*). It is so Sir. There is also the other harmful feature that if default is made for one year's rent, for that amount the equity of redemption is made a charge. That usually finds its place as a separate clause in the document. If I default Rs. 25 on account of rent the creditor can pay court fees on the Rs. 25 and get a decree and have the equity of redemption sold in regard to all the mortgaged properties. The result is properties worth Rs. 2,000 or Rs. 3,000 are lost for ever.

One other point on which I wish to make an observation is whether the debtor's person is to be left free or not; whether the principle of incarceration is to be confined to transactions now in force or whether they should relate only to future transactions. Taking all things into consideration I think that in regard to future transactions the person may be left free, as there is a growing public opinion in all countries that personal detention is a cruel and harsh system. The personality of the man might have entered largely in past transactions and as such it may not be fair to the creditor to deprive him of his main or only remedy.

Before concluding I would appeal to the Government to treat this question as one of urgent public importance. The problem will not brook delay and this expectancy and suspense is doing increased harm to the economic life of the State. The necessary legislation must be immediately undertaken.

SRIMATI T. NARAYANI AMMA (*Nominated*): Sir, while supporting the motion before the House I wish to make a few observations. As observed by the Committee, agriculture is the key industry and the basis of the wealth of the country and the agriculturist being very severely hit his relief calls for greater consideration at the hands of Government than that of any other class of debtors. The measures suggested by the Committee are, it appears to me, generally acceptable. By the establishment of debt conciliation boards we shall only be taking a step which has been successfully tried elsewhere. I particularly appreciate the suggestion regarding the establishment of special debt conciliation boards to be appointed in respect of co-operative societies. In view of the large number of persons who have taken loans from co-operative societies and against whom steps have been taken for the realisation of the amount due, the establishment of special debt conciliation boards will afford considerable relief to a large number of debtors. I also welcome the recommendation of the Committee that irrespective of the conciliation by the boards, it should not be lawful for any society to levy or to recover penalty for three years or for such further period as the Government may deem necessary.

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With regard to the recommendations about the development of the activities of the Land Mortgage Bank I do not know why the bank should not be reconstituted on a co operative basis. I feel that the whole question is one which has got to be seriously considered by the Government. The Committee further suggested that for the future financing of agriculture, short term loans should be made available on the security of crops through co-operative societies, through Government or through agricultural banks. In this connection I wish to suggest the opening of co-operative ware-houses as is done in some parts of the Madras Presidency.

I wish also to urge on the attention of Government one important aspect of the whole question. In view of the pitiable condition of the agriculturist, no time should be lost in affording at least partial relief. The Committee themselves say that, even before any legislation is embarked upon Government should try to effect conciliation between debtors and creditors by offering the inducement that the Land Mortgage Bank or the Government will be prepared to advance money whenever the debtor and all his creditors are prepared to bring down the total debt to a reasonable amount. This suggestion ought to engage the earnest and immediate attention of the Government.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): സർ, അമൻറ്മെൻറും അതിനു അടിസ്ഥാനമായ റിപ്പോർട്ടിലെ ചില സംഗതികളേയും ഞാൻ പ്രതിക്ഷേപിക്കുന്നു. കൃഷി എന്ന തൊഴിൽ വളരെ പ്രധാനമായ ഒന്നാണ്. എന്നാൽ അതിനേക്കാൾ ഒട്ടും അപ്രധാനമല്ലാത്ത ഒന്നാണു കച്ചവടം. കച്ചവടവും കൃഷിയും തമ്മിൽ വളരെ ബന്ധമുള്ള തൊഴിലുകളാണ്.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): കൃഷി ഇല്ലാതിരുന്നാൽ കച്ചവടം അഭിവൃദ്ധിപ്പെടുമോ?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): ഇല്ല. ഒരു രാജ്യത്തിൻറെ അഭിവൃദ്ധി അവിടത്തെ കച്ചവട അഭിവൃദ്ധിയെ ആശ്രയിച്ചാണിരിക്കുന്നതു്. കച്ചവടത്തെ അഭിവൃദ്ധിപ്പെടുത്തുന്ന വിഷയത്തിൽ നമ്മുടെ ഗവണ്മെൻറു വേണ്ടവിധത്തിൽ ശ്രദ്ധ പതിച്ചിട്ടില്ലെന്നു തന്നെ പറയേണ്ടിയിരിക്കുന്നു. കച്ചവടക്കാരുടെ പത്തുവർഷത്തിനു മുമ്പുള്ള സ്ഥിതിയും ഇപ്പോഴത്തെ സ്ഥിതിയും നോക്കുക അങ്ങനെങ്കിൽ പത്തു കൊല്ലം മുൻപു ഈ തിരുവിതാംകൂറിൽ ഉണ്ടായിരുന്ന കച്ചവടക്കാരിൽ വളരെ പേർ ഇപ്പോൾ കുറഞ്ഞു കാണുന്നു.

DEPUTY PRESIDENT: But now we are discussing the question of redemption of agricultural debt.

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MR M. K. JANARDANA KAMATH (*Commerce and Industry, North*): Yes, Sir. The prosperity of the agriculturists lies in the hands of traders and the prosperity of the traders depends upon the agriculturists; their businesses go hand in hand. Sir, my object is to point out to the House that the recommendations made by the Committee will affect the merchants.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*). The member having first begun his speech in Malayalam is now talking in English.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): My object is only to bring to the notice of this House how it will affect the merchants. But I do not claim any relief to the traders.

DEPUTY PRESIDENT: Mr. Raman Pillai was complaining that you are making a speech in two languages.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): ഈ ട്രേണനിവാരണക്കമ്മറി റിപ്പോർട്ടിൽ ചെയ്തിരിക്കുന്ന ശുപാർശകം കച്ചവടക്കാക്ക് വളരെ ഉപദ്രവകരമായിരിക്കുന്ന എന്നുള്ള സംഗതി ഈ അസംബ്ലിയുടെ ആലോചനക്ക് വിഷയീഭവിപ്പിക്കണമെന്നുള്ളതാണ് എന്റെ ഉദ്ദേശം. അതിനെ സംബന്ധിച്ചു ഞാൻ പറയുന്ന സംഗതികൾ റെലവൻറ് അല്ലെന്നു പ്രസിഡൻറ് അവർകൾ പറയുന്നു എങ്കിൽ—

DEPUTY PRESIDENT: You need not judge beforehand what the Chair is going to do. You may proceed. If your speech is relevant, the Chair will allow it. If not, the Chair will disallow it.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): ഞാൻ മുൻപു പറഞ്ഞതുപോലെ പത്തുവർഷത്തിനു ഇപ്പുറം മുതൽ ഈ രാജ്യത്തെ കച്ചവടം കുറഞ്ഞു കുറഞ്ഞു വരികയാണ് ചെയ്യുന്നത്. അതു കൊണ്ട് കച്ചവടക്കാരുടെ സംഗതിയിൽ ഗവൺമെൻറ് പ്രത്യേകം ശ്രദ്ധ പതിച്ചില്ലെങ്കിൽ ക്രമേണ അവരുടെ എണ്ണം കുറഞ്ഞു കുറഞ്ഞു നാമാവശേഷമായിപ്പോകയില്ലേ എന്നു വളരെ സംശയം തോന്നുന്നു. പുതിയ നിർദ്ദേശങ്ങളോ നിയമങ്ങളോമൂലം കച്ചവടത്തിനു മന്ദത നേരിടുകയോ ഇപ്പോൾ നിലവിലിരിക്കുന്ന നിയമങ്ങൾക്കും കരാറുകൾക്കും പറ്റുന്ന വല്ല ദുർബലത സംഭവിക്കുകയോ ചെയ്യുന്നപക്ഷം അതു കൃഷിക്കാരും കച്ചവടക്കാരും ഒന്നുപോലെ സാരമായി ബാധിക്കുന്നതാണ്. തിരുവിതാംകൂറിലെ കച്ചവടക്കാരിൽ ഏറിയ ഭാഗവും കൊച്ചിയിലേയും ബ്രിട്ടീഷ് ഇൻഡ്യയിലേയും കച്ചവടക്കാരെ ആശ്രയിച്ചാണ് അവരുടെ തൊഴിൽ നടത്തി കൊണ്ടു പോകുന്നത്.

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MR A. EASWARA PILLAI (*Kottarakara*): കച്ചവടം കൃഷിയെ ആശ്രയിച്ചല്ലേ സ്ഥിതി ചെയ്യുന്നത്?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): അതേ. കച്ചവടക്കാരുടെ രക്ഷയെ പരിഗണിച്ചുള്ള യാതൊരു നിർദ്ദേശങ്ങളും—

DEPUTY PRESIDENT: Do you mean such traders other than money lenders? Are you using the word 'Kachavadakar' with reference to hundi merchants and bankers?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): കച്ചവടക്കാർക്ക് ഇതു നിമിത്തം ഉണ്ടാകാവുന്ന ദോഷങ്ങളെപ്പറ്റിയാണു പറയുന്നത്.

DEPUTY PRESIDENT: Do you include hundi merchants, bankers and others?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): അവരെ സംബന്ധിച്ചാണ് പറയുന്നത്.

MR. P. C. KURIAN (*Kottayam I*): പ്രധാനമായി ആരെ ഉദ്ദേശിച്ചാണു പറയുന്നത്?

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): എല്ലാം പ്രധാനം തന്നെയാണ്. പുതിയ നിയമങ്ങളും കരാറുകളും ഇപ്പോൾ നടപ്പിൽ ഇരിക്കുന്ന നിയമങ്ങൾക്കും കരാറുകൾക്കും വിപരീതമാകുന്ന പക്ഷം അതു ബ്രിട്ടീഷ് ഇൻഡ്യയിലേയും കൊച്ചിയിലേയും കച്ചവടക്കാരെയും ഒരുപോലെ ബാധിക്കുന്നതും തൻമൂലം അവശമായിട്ടുള്ള കച്ചവടബന്ധത്തിനു സാരമായ ഹാനി തട്ടുന്നതിനു ഇടയായിത്തീരുന്നതാണ്. ഋണനിവാരണകമ്മീഷനറിയുടെ നിർദ്ദേശങ്ങൾ കേട്ടുമുതൽ കൊച്ചി മുതലായ മറ്റു രാജ്യങ്ങളിലെ കച്ചവടക്കാരിൽനിന്നും ഇവിടത്തെ കച്ചവടക്കാർക്കു കടമായി യാതൊരു ചരക്കും കിട്ടാതെ വളരെ നിരാശയാണുണ്ടായിക്കൊണ്ടിരിക്കുന്നത്.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): കൊച്ചിയിലും ആലോചനയ്ക്കു വിധി നടത്തുകയും നിറുത്തിവച്ചിരിക്കുന്നതായി അറിയാമോ?

DEPUTY PRESIDENT: You have got two minutes more, Mr. Kamath.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): ഗവണ്മെൻറിനും, പരസ്പരസഹായസംഘങ്ങൾക്കും, ജന്മിമാർക്കും, ബാങ്കുകാർക്കും കിട്ടേണ്ട കടങ്ങളെ സംബന്ധിച്ചുള്ള കാര്യങ്ങൾ കമ്മീഷനറുടെ നിർദ്ദേശങ്ങളിൽനിന്നും ഒഴിവാക്കിയിരിക്കുന്നു. പ്രസ്തുത കടങ്ങൾ

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[Mr. M. K. Janardana Kamath.]

കരാറുകളും വിധികളും അനുസരിച്ചു കൊടുത്തു തീർക്കുന്നതിനു നിയമംമൂലം വല്ല പ്രതിബന്ധമുണ്ടായി തൽനിമിത്തം ഈ വക സ്ഥാപനങ്ങൾ ലയിച്ചു പോകുമെന്നുള്ള സംശയംകൊണ്ടായിരിക്കാം അവയെ ഒഴിവാക്കിയിരിക്കുന്നതു്. കച്ചവടക്കാരുടെ കാര്യത്തിൽ ഈ ന്യായം കമ്മറിക്കാർക്കു തോന്നാതിരുന്നതു് കച്ചവടക്കാരുടെ ഉൽദേശം എന്നു തന്നെ പറയേണ്ടിയിരിക്കുന്നു.

ഇപ്പോൾ നടപ്പിലിരിക്കുന്നതും നിയമം അംഗീകരിച്ചിട്ടുള്ളതുമായപണ്ടുണ്ടു ശതമാനം പലിശ ആറു ശതമാനമാക്കണമെന്നുള്ള കമ്മിറ്റിക്കാരുടെ നിർദ്ദേശം തീരെ സ്വീകരിക്കത്തക്കതല്ല ബാങ്കുകാരുടെ പലിശക്രമം മറ്റുള്ളവരുടേതിനെക്കാൾ വളരെ വ്യത്യസ്ഥമായ ഒരു രീതിയിലാണു് കമ്മറിക്കാർ നിർദ്ദേശിച്ചിരിക്കുന്നതു്.

DEPUTY PRESIDENT: The House will now adjourn and meet again at 2 o' clock.

The House adjourned for lunch at 1' 7 p. m. and re-assembled at 2 p. m.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Sir,—

MR. M. K. JANARDHANA KAMATH (*Commerce and Industry, North*): Sir, I have not finished,

DEPUTY PRESIDENT: Mr. Janardana Kamath, I actually gave you a minute more than the time allotted. So I am sorry you cannot continue.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Sir, I wish to make a few observations on some of the recommendations contained in the Report.

I will first refer to recommendation No. 2. I am quite opposed to that portion of the recommendation which relates to the exclusion of debts due to co-operative societies. Though it was not within the scope of the main enquiry of the Committee, they ought to have made their recommendation about this also. It would have been better if the committee requested Government to nominate a member on the Committee to represent co-operative societies before they made such a recommendation.

DEPUTY PRESIDENT: We are concerned with what the Committee has done, and not with what the Committee has not done. I do not say that you cannot refer to that.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Sir, these debts are very small, and a majority of the poor agriculturists owe debts to the co-operative societies. If the debts of these poor agriculturists are not taken into consideration, I think the Committee has not got anything else to its credit. The Committee appears to be scrupulously carefu

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about the interests of some of the big agriculturists. The Committee ought to have directed its attention solely to the debts incurred purely for purposes of cultivation. I am, therefore, opposed to that portion of recommendation No. 2. which excludes debts due to the co-operative societies and banks. The term "Agricultural debts" should be so defined as to include debts due to co-operative societies and banks also.

Then, I pass on to recommendations Nos. 11 and 19. I have no objection to special boards being constituted for the Kuttanad agriculturists as well as the rubber planters. If the recommendations in this respect are to be workable, these boards should be under the direction of an officer of the status of a Division Peishkar.

With regard to No. 19, I must submit that the establishment of land mortgage banks, and the undertaking of Government to finance the liquidation of the debts due to the firms, is a very big problem, and will work against the interests of the State at large. These rubber planters have been offered beneficial terms by firms and yet they were avoiding and evading payments hence I am of opinion that these rubber planters should be left to settle their business between themselves and the firms; and no help need be rendered to them by the Government. It is the poor and ordinary agriculturist that stands in need of immediate relief. If the Government do not lend a helping hand to them, they are sure to be crushed under the weight of the debts due to their creditors; it is a great loss to the State; it is the loss of the peasantry which is the backbone of the society.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Will not the rubber planters be compelled to lose if the recommendations are carried out?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I have already dealt with that.

I pass on to recommendation No. 10. The appointment of honorary conciliation boards by Government by nominating non-official gentlemen is a suggestion which appears to me to be not at all workable under the circumstances existing in the country. The Committee says that the members of the boards should be men of high character. How is it possible to find out men of high character?

DEPUTY PRESIDENT: You do not say that there are no men of high character; you mean to say that the difficulty is to find them out?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Yes, Sir.

So the recommendations and suggestions with regard to that item are not acceptable.

Then I will refer to recommendation No. 12 regarding rate of interest. I am in agreement with the proposals made therein. The reduction of the rate of interest alone will solve the question to a great extent. The value of properties will be enhanced and the debtors will be enabled to liquidate their debts on land. They could dispose of some of their property for good value and thus clear their debts.

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[Mr. S. Nilakanta Pillai.]

Then I come to recommendation relating to recovery of debts The House must consider this question with great caution. In my view, the payment of debts in instalments extending over a period of twenty years is not at all practicable. That will paralyse the credit of the State as well of the agriculturists. The poor agriculturists will be put to innumerable difficulties and the agricultural activities of the State will be greatly impeded.

Then I pass on to recommendation No. 15, about mortgages with possession. This is not acceptable to the people at large. I might have mortgaged a property worth about Rs. 5,000 for Rs. 500. If a foreclosure suit is to be filed against me, I will not be able to raise a sum of Rs. 500 ; the consequence will be that I will have to lose a property worth Rs. 5,000 for a small sum of Rs. 500. So I submit that this recommendation has not been well considered by the Committee and should not be accepted by this House.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Sir, the observations I purpose to make and the amendments I have sent in, stand in need of a preface to the effect that these are not my decisive opinions unalterably fixed, but are only indicative suggestions to stimulate discussion and to persuade the Government to modify some of the recommendations of the Debt Redemption Committee. I may also observe that it is extremely difficult to do anything like justice to the various recommendations of the Committee within the time allowed to each of the members of the House.

Sir, there is no doubt that agricultural debtors are in a very bad way. Their creditors also are down in the month in view of the difficulties they experience to realise the debts due to them. If all the recommendations of the Debt Redemption Committee are to be carried out without any modification, I fear the tables would be turned upon the creditors since they would be at the mercy of the proposed Boards, and would remain crest-fallen, till the die when cast turns out to be in their favour.

Now, I shall proceed to the various recommendations. The first recommendation in the Report is about the definition of the expressions "agriculturist" and "agricultural debt". That definition is more or less clear in the outlines but obscure at the centre. The definition rests upon the expression "agriculture". What exactly is meant by agriculture is not definite. Does it simply mean agriculture as understood strictly in English law? Does it include horticulture, or does it also include sylviculture, as its sense has been extended by some legislative enactments? That is not clear. We have got a definition of "agriculturist" in "The Deccan Agriculturists' Relief Act", Act XVII of 1879. That definition, which is more or less similar to the recommendation of the committee, gave rise to very interesting results. A man, who maintained himself mainly by the sale of toddy, contended that he was an agriculturist, and that was upheld by a court of law. The wife of an agriculturist contended she was also an agriculturist, for she was maintained on agricultural income, but her claim

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was repelled. In view of that, it is desirable to define the expressions more clearly. In the present instance, what the Committee has done is to leave the question to the decision of the conciliation boards to be set up under the proposed measure. Once a conciliation board says, "you are an agriculturist", or "you are not an agriculturist", the matter ends there. About 35 Boards are proposed to be set up, and there is, therefore, scope for divergent opinions. Under such circumstances, I would submit that the matter has to be decided by an authoritative pronouncement. And I would suggest the necessity of a reference to the High Court in a matter like this.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to ask a question. Where is it stated that the decision of the Board is final for all purposes?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): It is final for the purpose of this matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): For the purpose of conciliation?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Yes, for the purpose of conciliation, the opinion is final.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But is it final for later stages?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Conciliation is the crucial point. Once conciliation is effected, its effect persists.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it concluded even if the parties do not agree?

MR. P. K NARAYANA PILLAI (*Ambalapuzha I*): Then there is no conciliation, though the Board may issue certificates.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Will not a reference to the High Court involve undue delay?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Finality is to be preferred to delay.

DEPUTY PRESIDENT: Does the member expect the High Court to make a pronouncement?

MR. P. K NARAYANA PILLAI (*Ambalapuzha I*): Yes. The High Court should interpret the matter.

DEPUTY PRESIDENT: Is not this House competent to do that?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I have no objection. In the absence of a provision, there must be some authority whose voice must be final in the matter. I also proposed that planters engaged in tea, rubber and cardamom cultivation may be exempted from the category of agriculturists. When I sent in my amendment, my view was this. Though their debts are very heavy, their assets are very large. The Quota Restriction Scheme must have enabled these gentlemen to reduce their debts. So I thought, in a scheme for the relief of agriculturists, especially through the establishment of the land Mortgage Bank, if these people who have heavy debts are to

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[Mr. P. K. Narayana Pillai.]

scramble for help and jostle at with others at the door of the Land Mortgage Bank, the smaller fry would be nowhere. In fact people with heavy debts will be able to force their way to the Land Mortgage Bank more irresistably than the rest. So I thought it was better they should remain outside the definition of agriculturists. But I confess, after an interesting discussion with certain rubber planters at Kanjirapalli, my assumptions are seriously shaken. They say that the Quota Restriction Scheme has not enabled them to recover their legs. Though they are stout, they need the assistance of a staff. They agreed however that, they would not approach the Land Mortgage Bank in quest of relief to discharge their debts. If that were the case, I have no objection to include them also under agriculturists. I would suggest that the support and facilities that may be afforded to other agriculturists may be extended to them in other respects. But the machinery for working off their indebtedness should be somewhat different from the ordinary conciliation boards. So far in regard to the definition of agriculturists.

With regard to the definition of the expression "Agricultural debts", I would exclude, from its scope, debts and liabilities which have nothing to do with agriculture. The recommendation of the Committee is on page 103 of the report. It is stated as follows :— "Agricultural debts should include all liabilities of an agriculturist.' To take an extreme case, for instance, an agriculturist may be fined by a court to pay Rs. 500. To say that it is an agricultural debt is a misnomer.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Are not debts due to Government excluded ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : It is excluded, but it is an agricultural debt. I will cite another instance. Suppose an agriculturist sends his son to England for purposes of higher studies, say, I. C. S. or Bar-at-Law examinations. That has nothing to do with agriculture. He must certainly rank with other debtors, and should not seek lenient considerations.

There is another point. This situation has been brought about by the prevailing economic depression. Our main attempt ought to be to relieve the agriculturists from the result of the economic depression which is in full swing at present. If the agriculturist has been indiscreet and has incurred debts previous to the depression period, the natural results must be borne by himself. That distinction has not been kept in view by the authors of the report.

Another point is that debt transactions arise between an agriculturist and a non-agriculturist. You are going to relieve the debtor; but it should not seriously be at the expense of the agricultural creditor. Though these are tentative measures, the distinction should not escape attention.

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Then there is the question of reduction of interest as one of the methods to relieve indebtedness. I find it difficult to accept all that has been said by the committee on the subject. We have many years ago specified the rates of interest allowable in the courts of the State. May I point out that, in 1108, when the Insolvency Regulation was re-enacted in the State, when the present slump in the price of articles and the general depression had set in, this Legislature enacted a measure to say that 6 per cent. interest should be the normal rate of interest charged upon debts to be discharged through insolvency court? Any further reduction in the rate of interest, I fear, may not be justifiable.

In regard to retrospective operation, I say, it would lead to the reopening of many settled transactions, especially decrees. That would be a violent procedure, in view of the worry and expense incurred. Decrees are the voice of the Sovereign. A legislative measure is another form of the voice of the Sovereign.

The Sovereign should not be reduced to the unseemly sight of blowing hot and cold over the same subject.

There are other matters; but owing to the time limit, I am not able to offer my remarks on them.

RAO SAHIB S. PARAMESWARA AIYAR (*Nominated*): Is not a contract also the voice of the Sovereign?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): No. Relief is needed in the case of Kandukrishi tenants who are groaning under many difficulties.

MR. N. E. VARUGHESE (*Tiruvalla I*): Sir, I rise to support the amendment. I am glad to support it because those amendments are inclusive of my point. I felt bold to support the recommendations as a whole not because I was unable to pick out certain drawbacks in the recommendations. The chief reason that prompts me to support the recommendations is the personnel of the Committee. I have no hesitation in saying that they were the men pre-eminently suited for the work. They represent all the interests. I may say the official block of the Committee.—

DEPUTY PRESIDENT: What do you mean by the official block?

MR. N. E. VARUGHESE (*Tiruvalla I*): There are both officials and non-officials.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Who represented the Joint Stock Companies of the State?

MR. N. E. VARUGHESE (*Tiruvalla I*): The Financial Secretary.

The report has been submitted after elaborate enquiry and mature consideration. The importance of the report cannot be belittled. It requires strong proof to whittle down the recommendations of the Committee.

DEPUTY PRESIDENT: You said that you are supporting the amendment. But the amendment is different from what the Committee has recorded.

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MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I tell the member that the amendments are not to the report of the Committee, but to the motion for consideration?

DEPUTY PRESIDENT: That is not a point for the member to answer.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I wanted to see how the member understands the amendment?

MR. N. E. VARUGHESE (*Tiruvalla I*): I am myself an agriculturist and I reside in an area where agriculture is the only occupation. So I may be pardoned when I say that I can claim some competency to speak on the subject.

MR. K. P. KRISHNA MENON (*Parur*): May I know from the member whether he is a debtor or creditor?

DEPUTY PRESIDENT: That question need not be answered.

MR. N. E. VARUGHESE (*Tiruvalla I*): The agricultural population is in need of substantial help from the State. This House has to explore ways and means for the same. It is not a local matter. It is a matter which affects people from one end of the State to the other. 95 per cent of the population of the State are agriculturists. They cry loudly and incessantly for some help. It is the duty of the State to devise some measures to satisfy their needs. The minority of money-lenders are unwilling to be generous and humane to the agriculturists. The result will eventually be endangering class hatred under the beneficent rule of His Highness the Maha Raja.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I rise to a point of order. The member is reading his speech.

DEPUTY PRESIDENT: Are you reading your speech, Mr. Varughese?

MR. N. E. VARUGHESE (*Tiruvalla I*): No, Sir.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): He is reading only occasionally.

DEPUTY PRESIDENT: The point of order raised by Mr. Chandrasekharan is very important. It is because Mr. Varughese assured me that I left the matter there. But I do not think it is open to a neighbour to say that it is not so. I think members will respect one another (*Hear, hear*). Not that truth need not be spoken, but ordinarily unless the contrary is proved to my satisfaction, I am prepared to believe a member when he says that he is not reading.

MR. N. E. VARUGHESE (*Tiruvalla I*): What I submit is that it is the duty of this House as well as the Government to frame some remedial measures to substantially help the agriculturists. If that help is not forthcoming, I may tell the House that some sort of socialistic discontent and some sort of turmoil may arise as the result of the prolongation of the situation without finding remedies for its solution.

MR. M. SIVATANU PILLAI (*Tovala*): May I know what the member means by socialistic discontent?

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DEPUTY PRESIDENT: The member has said something and the other members may be satisfied with their own interpretation.

MR. M. SIVATANU PILLAI (*Tovala*): I want to understand it.

DEPUTY PRESIDENT: Dictionaries may be referred to. I cannot allow that. No paraphrasing will be allowed.

MR. N. E. VARUGHESE (*Tiruvalla I*): Delay is dangerous. So the earlier the matter is settled the better will it be for the Government. They must find out suitable solutions for this disturbing problem.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Sir, as one representing commerce and industries (Mr. Sivatanu Pillai: *Louder please*) it may be supposed that I have nothing to say about the report of the Agricultural Debt Redemption Committee and the recommendations contained therein. As a matter of fact I have nothing to say about it.

In olden days, throughout the west coast of at least Malabar, the creditor was a person to be afraid of. The old method of realising debt is to draw a circle round the debtor and make him stand there. That was the principle adopted in those days. In Tamil also there is a piece of poetry to this effect. It says:

"കടൻകൊണ്ടാൻ നെഞ്ചം പോൽ
കലങ്കിനാൻ ഇലങ്കൈ വേന്തൻ"

That means even Ravana became afraid of Rama like a debtor when he sees his creditor. There was a good deal of moral sentiment attached to that business. Before I proceed to discuss some of the recommendations, I may draw the attention of the House to some of the recommendations made by the Royal Commission on Agriculture on the question of finance.

In Chapter 10 it is said:—

> "It has, however, never been the policy of the State to impose restrictions on the financing of agricultural operations by private individuals. Such restrictions as have been imposed have all been devised to deal with agricultural indebtedness and to check the activities of the usurious money lender."

That is one thing. Secondly, they say:—

> 'The evidence given before us inclines to the view, in which we agree, that no usufructuary mortgage of agricultural land should be permitted by law unless provision is made for automatic redemption within a fixed period of years of which 20 should be the maximum."

Then, as regards the financing by the Land Mortgage Bank:—

> "The history of the Agricultural Bank of Egypt is, however, an instructive warning to those who hold that problems of rural debt are to be solved by the provision of cheap and abundant credit. In fact, cheap credit is a blessing to a rural population only where the average cultivator is possessed of the knowledge and strength of character required to induce him, on the one hand, to limit his borrowing within the range of his capacity to repay, and, on the other hand, to apply the greater part of the borrowed money to sound productive purposes."

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Then the next observation made is the most important: –

"Legislative measures designed to deal with the problem of indebtedness have proved a comparative failure."

Therefore we can forsee that any legislation which the Government of Travancore may make to solve the question of agricultural indebtedness will be a failure. Then the last thing which they said is most important and it is this :—

"Thrift must be encouraged by every legitimate means, for the savings resulting from the thrift of the cultivating classes form the best basis of the capital they require."

Unfortunately we are not a very thrifty set of people. Coming to the recommendations, Sir :—

DEPUTY PRESIDENT: That is the finding referred to in normal conditions ?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*)): That is all the more reasonable why we should not lose our heads when we are in difficulties. Of course, I wish to comment upon one passage in the Report which more or less embittered me. At page 155 of the Report, on a supplementary note by Mr. T. Kumara Pillai, this observation was made by the Chairman:

"The special difficulties of the Nanjinad cultivators are those that concern the requirements of the paddy cultivation and, therefore, do not fall within the scope of the Committee's enquiry."

I fail to understand the significance of this. It was a very unfortunate statement coming from the Chairman. I submit before the House that, when Mr. T. P. Velayudhan Pillai introduced a measure for giving some sort of relief so far as agriculturists are concerned, there was an assurance from the House or from the Government member that a Bill will be speedily introduced. My own difficulty is what was the delay in producing the Bill at all. That illustrates the story of the mother-in-law and the daughter-in-law. A beggar once went to a house begging for charity. The daughter-in-law was near the door and said that there was no alms to be given. The mother-in-law overheard her. She said, "She has no jurisdiction to say that. What business has she to say that? I have got the right here". And she asked the beggar back again. Probably the beggar thought that he would get something. But she asserted, "No; you may now go." In the same way when Mr. T. P. Velayudhan Pillai brought forward a Bill for discussion it was thrown out.

DEPUTY PRESIDENT: All that is beside the point.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): When special considerationwas shown to Kuttanad cultivators and the rubber planters, my submission is that it is regrettable that no consideration was shown to the Nanjinad cultivators. For instance, what is the case of the rubber planters? Their grievance is that in the boom days they were spending money and they do not possess any reserve now. That is the case with most of us. When we have money

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we spend it. It is the case with all people of all professions. Why should any special concession be shown to people who spent for speculation? The Government should not at all interfere in those cases. I may submit that, so far as Nanjinad is concerned, we had our coffee plantation some 70 or 80 years ago. There was a man by name Alwarappa Pillai; some Scotch people came there and began coffee cultivation. This man thought this business must be a lucrative one. He went in for coffee cultivation and he got hold of all the women around him, collected money and began coffee plantation. In the first year of harvest, it was a very profitable affair. He made one sovereign out of a single coffee plant. What he then did was that he gave a feast to all the people of Nagercoil Town. Then the people began to praise him. Next year a pest came in and all the women gathered around him but the man asked all the people to think of the feast he gave.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): What about cocoanut plantations?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): That is an excellent thing, Sir. But nobody can help anybody. Therefore cocoanut plantation must share the fate of others.

Therefore I say, Sir, that the problem is made difficult because we look at one side of the question. That is to say, we are thinking of agricultural indebtedness only and not of industrial and commercial indebtedness. If we had thought of that also, we would have been as progressive as Japan. I may say, Sir, that Japan is selling bottled beer at Germany at a price less than what empty Germen beer bottles are sold at. That shows, Sir, that we do not know how to handle things. We think that agriculturists are the only people in this country. Agriculture is the poorest paying business under the sun. Sir M. Visveswara Aiyya pointed that out beyond a certain percentage, say, 20 per cent of agricultural labour, the whole business will lose in profit if we exceed that percentage. We are having more than 50 per cent. of labour engaged in agriculture. That shows that there will not be any redemption at all, whatever may be the methods Government may devise. But anyhow I would suggest to the Government that, instead of prolonging the agony of uncertainty let them be up and do somethig. As a matter of fact, it is this uncertainty which dislocates the whole matter. For that matter, if I had the finances of the Travancore Government in my hands I would solve the problem in 24 hours. [*Craies of "How"?*]

DEPUTY PRESIDENT: That is hypothetical. Please put it more clearly.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): The difficulty is, instead of the Government legislating, the Government must come forward and find out where it can get money from. Let the indebtedness be 37 crores or 40 crores; two crores is only wanted per year,

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[Mr. P. Chidambaram Pillai.]

and if the Government can go to Bombay and Calcutta-it is said that money is dead cheap at Bombay and Culcutta-Government can get money at one and a half per cent interest if they were to float a loan there.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Is it one and a half per cent ?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industy, South*) : Yes.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I accept that challenge.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : The Bank rate at Bombay is two per cent. now.

DEPUTY PRESIDENT : The second bell is gone. No more questions please.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, in spite of all that Mr. Chidambaram Pillai had said, something has to be done. What that something is, is the question. Sir, various difficulties have been pointed out here in connection with the handling of this question and the way to meet those difficulties is really what concerns us. There is no denying the fact that the agriculturist is involved in indebtedness and he should be helped out of this indebtedness as far as possible. But the new must see to what extent the State will be justified in interfering in this matter. Is it that the State is called upon, to deal with all cases of indebtedness relating to agriculturists or should it prescribe certain limits ?

It was pointed out by Mr. Puthupalli Krishna Pillai that there would be no means of finding money to pay off these debts even though they are conciliated ; and that is perfectly true. He even objected to Government guaranteeing to any extent the payment of interest or the repayment of the loans in case debentures are issued. We must see to what extent Government can go to relieve the agriculturists. What is the difficulty of Government in this matter ? What is the basis of the step that is now sought to be taken ? I think, Sir, that it is the real agriculturist in the State who should be placed as far as possible in a position in which he would be free from the unwholesome, grip of the money lender. But what is the kind of agriculturist that the State should help ? That is the next question. Now, Sir, is it that the State is bound to help all agriculturists ? Suppose a man is worth a lakh of rupees and he is indebted to the extent of Rs. 5,000. Is it the duty of the State to help him ? I say, no ; I can understand that agriculture being the main-stay of the State, a large majority of the agriculturists should be helped. In other words, agriculturists should be helped to such an extent that the industry will not cease to exist, will not unduly suffer. What is the extent to which it should go? In the case of capitalists I would be far from advocating a step by which the

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Government would be committed to help him. These observations I make because I want to see some real help is given to the small agriculturists. If we try to tackle the problem in all its amplitude, the result would be utter failure. We must place restrictions. According to me, certain limitations have to be placed in respect of the extent to which the Government should go. I would make my suggestion If, Sir, the annual income of an agriculturist is seen to be a thousand rupees or more, I do not think Government would be justified in steping in to help him.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : Is it the gross annual income?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Yes. If his income is large, he will be in a position to shift for himself if he has incurred debts and it is not a concern of the State. With an annual income of a thousand rupees, an agriculturist in our State can get on well enough ; and if he finds it difficult to get on he need not be helped.

DEPUTY PRESIDENT : Is that thousand rupees the gross income or the net income?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Income after meeting the cost of cultivation. I grant Rs. 1,000 as an approximate figure. Let us place some limit. If the agriculturist has incurred debts in spite of a sufficiently large income, then it must be his own look out to find out funds for repaying them because he must have been an improvident man.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Is it the income that he had before 1105 or after 1105?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Before 1105.

MR. K. M. KURIAKOSE (*Muvattupuzha II*) ; May I know how it can be ascertained?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : It can be ascertained through proper agency ; bodies set up for conciliation may do it. I do not say that it should be fixed at Rs. 1,000 itself. It may be fixed at Rs. 1,500. I have no objection to it, but I am particular that a limit should be placed.

MR. N. E. VARUGHESE (*Tiruvalla I*) : Is the member in favour of the establishment of Conciliation Boards?

MR. A. THANU PILLAI (*Trivandrum—Rural*) : I am coming to that. Then, Sir, we may say that when the margin between the assets of a man and his debts is sufficiently large, the State should not interfere. As Mr. Asan suggested, suppose a man's debts do not exceed 60 per cent. of his assets. In that case, the State should not interfere. In the case of a normal agriculturist in the State, if he is in difficulties because of the condition of agriculture, the State should help him. It is a well-known fact that agriculture has not for long been a paying industry in our State. Even in normal times the debt of the agriculturist had been increasing. He needs-help and if he should be really helped, he must be enabled to make out of his industry an income which will enable him to live without incurring debts.

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MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Is it the member's view that rubber and tea planters also require help?

MR. A. THANU PILLAI (*Trivandrum—Rural*): No, Sir., If the rubber and tea planters have incurred large debts, it is not the duty of the State to step in and render any help to them. To help large capitalists to remain in their affluent position is not the concern of the State. If a Rubber Estate passes from the hands of A to the hands of B, I do not think the State would be affected.

DEPUTY PRESIDENT: You contemplate the indirect result of levelling the standards of comfort.

MR. A. THANU PILLAI (*Trivandrum-Rural*): That may be the result. But that is not my point. The majority of the agriculturists of the State should be helped.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the member views with equanimity that if the whole Rubber Estates may be taken up by one Company like the K. D. P. H. Company?

MR. A. THANU PILLAI (*Trivandrum-Rural*): That question I do not believe, does really arise.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): The member was saying that it does not affect the State if a rubber estate passes on from one man's hand to another's hand. May I know how it will affect if a cocoanut plantation passes from one man to another?

MR. A. THANU PILLAI (*Trivandrum-Rural*): It is not the question of one cocoanut garden passing from the possession of A to that of B. It is the question of the large majority of the agriculturists of the land being placed in a position of extreme difficulty. They are not able to live, They are not able to attend to their cultivation because of the oppressing debts.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Does the member place any distinction between cocoanut industry and rubber industry?

MR. A. THANU PILLAI (*Trivandrum—Rural*): I do.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): May I know on what basis?

MR. A. THANU PILLAI (*Trivandrum-Rural*); Because the majority of the people are engaged in cocoanut cultivation and cocoanut is the main stay of the people and the main industry in the country.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Has the cocoanut planter made huge profits like the rubber planter?

MR. A. THANU PILLAI (*Trivandrum-Rural*): No. Not only that. The cocoanut planter has been enriching the coffers of the State. Comparing the large income and the large profits which the rubber planters have been getting, they have paid very little to Government. Is it so with the cocoanut planters?

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DEPUTY PRESIDENT: But they have not been employing labour like the other.

MR. A. THANU PILLAI (*Trivandrum-Rural*): True. I say his position is not of such a nature that the State would be justified in interfering at a time like this to help him in the difficulties which he has created for himself.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): Compared to all kinds, has not agricultural debt enormously increased through forces beyond the control of the debtor?

MR. A. THANU PILLAI (*Trivandrum—Rural*): True.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Does not the same argument apply to all kinds of industry besides agriculture?

MR. A. THANU PILLAI (*Trivandrum-Rural*): True. The situation has affected not only the agriculturist but men of all professions. The lawyer, the doctor are all hit.

My main point is this. Even if the Government want to help the rubber planter, that should be done only after providing ample facilities for helping the large number of small agriculturists in the State. After having done that and after having found necessary funds for that, if the State is in a position to help the rubber or tea planter, it may do so. But it should not be done at the sacrifice of the more important interests of the large majoritiy of agriculturists.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Does the principle stated apply to Jenmies also?

MR. A. THANU PILLAI (*Trivandrum-Rural*): I am not going to answer all these questions in the short time at my disposal.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): What about the cardamom planter?

MR. A. THANU PILLAI (*Trivandrum-Rural*): Cardamom, rubber and tea, all stand on the same footing.

So, Sir, I would place a limitation, as I mentioned, on the income of an agriculturist who really deserves help. If there is sufficient margin between his asset and his debts, the State should not interfere.

In regard to a Conciliation Board, I have grave doubts about its success. Conciliation if resorted to, I would have in the place of a Board a paid full-time competent officer who would feel a real sense of responsibility. This I advocate for various reasons.

DEPUTY PRESIDENT: Do you say one officer for the whole State?

MR. A. THANU PILLAI (*Trivandrum-Rural*): An experienced officer of the Judicial Department may be appointed for this purpose; and fresh recruits may be put in to discharge the normal work of such judicial officers?

DEPUTY PRESIDENT: What is your view with regard to the suggestion that courts may be asked to discharge this function?

MR. A. THANU PILLAI (*Trivandrum—Rural*): That may be tried. If necessary, more Courts may be opened.

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MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): സർ, കർഷകപ്രജനനിവാരണക്കമ്മറ്റി റിപ്പോർട്ട് കഴിഞ്ഞദിവസം ആലോചനക്കെടുത്തപ്പോൾ കാർഷികകടങ്ങൾ എന്ന പദത്തിന് റിപ്പോർട്ടിൽ കൊടുത്തിരിക്കുന്ന നിർവചനം തൃപ്തികരമോ സ്വീകാര്യയോഗ്യമോ അല്ല എന്നും, ജന്മിമാർക്കു കിട്ടാനുള്ള മിച്ചവാരക്കുടിശിഖ, പാട്ടക്കുടിശിഖ മുതലായ ഇനങ്ങൾകൂടി കൃഷിക്കടമായി പരിഗണിക്കണമെന്നും മി. എസ്സ്. ജെ. നായർ ഇവിടെ പ്രസ്താവിക്കയുണ്ടായി. ഈ അഭിപ്രായത്തെ മി. ദാമോദരൻ ആശാനും അനുകൂലിച്ചു. എന്നാൽ തിരുവിതാംകൂറിലെ ജന്മികളുടെ പ്രതിനിധി എന്നനിലയിൽ ഈ അഭിപ്രായത്തെ എതുക്കാതിരിക്കുവാൻ എനിക്കു നിവൃത്തിയില്ല. ഈ നിർദ്ദേശം യുക്തിക്കോ ന്യായത്തിനോ യോജിച്ചതല്ലെന്നു മാത്രമല്ല; ഇതുനിമിത്തം ജന്മിമാക്ക് വലുതായ ദോഷം ഉണ്ടാവുകയും ചെയ്യും. ജന്മിമാർ ഭൂസ്വത്തുടമസ്ഥന്മാരാണെന്നും, ഭൂമിയിൽ അവക്കു സുസ്ഥാപിതമായ താൽപര്യം ഉണ്ടെന്നും, അവർ രാജ്യത്തെ ന്യൂനപക്ഷമാണെന്നും അതുകൊണ്ട് കർഷകപ്രജനനിവാരണപരിഹാരത്തിൽ ഇവക്ക് ഒരു സ്ഥാനവും കൊടുക്കേണ്ട ആവശ്യമില്ലെന്നും മറ്റുമാണ് തന്റെ വാദത്തെ സാധൂകരിക്കാനായി മി. ദാമോദരനാശാൻ ഇവിടെ പ്രസ്താവിച്ചതു.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): ജന്മിമാരുടെ എന്നു മാത്രമല്ല എല്ലാവരുടെ കടവും ഉറപ്പാക്കണമെന്നല്ലേ പറഞ്ഞതു്?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ജന്മികൾക്കുകൊടുക്കാനുള്ള കടത്തെപ്പറ്റി പറഞ്ഞു എന്നു മാത്രമേ ഞാൻ പറയുന്നുള്ളൂ.

MR. S. J. NAIR (*Nedumangad*): ഞാൻ പറഞ്ഞതു് കൃഷിക്കാരുടെ സകല കടങ്ങളും ഉറപ്പാക്കണമെന്നാണു്.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ജന്മിമാക്ക് ചെല്ലേണ്ടകടം ഉറപ്പാക്കുന്നതിനെ സംബന്ധിച്ചു മാത്രമേ ഞാൻ പറയുന്നുള്ളൂ.

അതിനാൽ ജന്മിമാർക്കു കിട്ടേണ്ടമിച്ചവാരക്കുടിശിഖയും, കാണപ്പാട്ടക്കുടിശിഖയും കൃഷിക്കടം എന്നുള്ള നിർവചനത്തിൽ ഉറപ്പാക്കത്തക്കതന്നാണു് എനിക്കു പറയുവാനുള്ളതു്. വസ്തുക്കം കാണപ്പാട്ടമായും വെറും പാട്ടമായും അന്യാധീനത്തിലാണു് ഇപ്പോൾ ഇരിക്കുന്നതു. സാധാരണയുള്ളകടം കൊടുത്തുതീർക്കാൻ ജനങ്ങൾക്കു വിഷമമുണ്ടെന്നു സമ്മതിച്ചാൽത്തന്നെയും വസ്തുവിൽനിന്നും കിട്ടുന്ന ആദായത്തിന്റെ തു

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ച്ചുമായ ഒരംശംകൊടുക്കാൻ യാതൊരു വിഷമവും ഉണ്ടെന്നു തോന്നുന്നില്ല. അങ്ങിനെ കൊടുക്കാനുള്ള ഒരു മനഃസ്ഥിതി മാത്രം ഉണ്ടായാൽ മതി. അതില്ലാതിരുന്നതുകൊണ്ടാണ് ഇതുവരെ കൊടുക്കാതിരുന്നതു. കാണപ്പാട്ടവസ്തുക്കളിൽ നിന്നു ജന്മിമാർക്കു കൊടുക്കേണ്ട തുക വളരെ കുറച്ചുമാത്രമേയുള്ളൂ എന്നു തെളിയിക്കാൻ വളരെ വിഷമമുണ്ടെന്നു തോന്നുന്നില്ല. ഫ്രാഞ്ചൈസിലെ ഫ്രാഞ്ചൈസിനായ ജന്മികുടിയാൻറഗ്രൂപ്പിനിൽ മിച്ചവാരം കണക്കാക്കുന്നതിൽ പറഞ്ഞിട്ടുള്ളതു് സെറ്റിൽമെൻറു പാട്ടമിച്ചം—

DEPUTY PRESIDENT: അതിനു ഈ വിഷയവുമായി വല്ല ബന്ധവും ഉണ്ടോ?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ജന്മിമാർക്കു കിട്ടാനുള്ള സംഖ്യ കൃഷിക്കടമായി ഉൾപ്പെടുത്തേണ്ടതാണെന്നുള്ള അഭിപ്രായത്തെ എതിർക്കുന്നതിനാണ് ഇതുയും പറയേണ്ടിവന്നതു്. അതു് ഉൾപ്പെടുത്താൻപാടില്ലെന്നും, ജന്മിമാർക്ക് വസ്തുവിൽനിന്നും കൊടുക്കേണ്ട തുക വളരെ തുച്ഛമാണെന്നും, അതു കൊടുക്കുന്നതിനു കുടിയാന്മാർക്കു വിഷമമില്ലെന്നും, കാണിക്കുന്നതിനുവേണ്ടിയാണു് ഞാൻ ഈ ഭാഗം ഇവിടെ പറയുന്നതു്. ഈ ഭാഗത്തെ എനിക്കു എതുക്കാതിരിക്കുവാൻ നിവൃത്തിയില്ല. അതിനാൽ എന്റെ അഭിപ്രായത്തെ ഇവിടെ രേഖപ്പെടുത്തിക്കൊണ്ടു് റിപ്പോർട്ടിലെ മറ്റു ഭാഗങ്ങളെ കുറിച്ചുകൂടി രണ്ടു വാക്കു പറയാമെന്നു വിചാരിക്കുന്നു.

കമ്മിറ്റിയുടെ ഏറ്റവും പ്രധാനമായ ശുപാർശ ഡെറ്റ്സ്കാൻസിലിയേഷൻ ബോർഡു രൂപീകരണമാണ്. കാൻസിലിയേഷൻ ബോർഡ് വിജയകരമായി പര്യവസാനിക്കുമെന്നു എനിക്കു വിശ്വാസമില്ല. (മി. ആർ. സാംബശിവയ്യർ: ഹീയർ, ഹീയർ). ഈ ബോർഡിനു കൊടുക്കാനുദ്ദേശിക്കുന്ന അധികാരത്തിന്റെ വ്യാപ്തി വളരെ കവിഞ്ഞുപോയിഎന്നും എനിക്കു അഭിപ്രായമുണ്ടു്.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): മറ്റു സ്ഥലങ്ങളിൽ ഈ ബോർഡ് വിജയകരമായി തീർന്നിട്ടുണ്ടോ എന്നു മെംബർക്കറിയാമോ?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ഇല്ലെന്നാണ് എന്റെ അറിവു്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): ക്ഷേത്രങ്ങളെ ഇതിന്റെ പരിധിയിൽനിന്നും ഒഴിക്കണമെന്നുള്ള നിർദ്ദേശത്തെപ്പറ്റി മെംബറുടെ അഭിപ്രായമെന്താണു്?

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MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*) : അതിവിടെ പറയേണ്ട ആവശ്യമില്ല. ഞാൻ പറയുന്ന ഭാഗങ്ങളെ സംബന്ധിച്ചല്ലാതെ മറ്റു ചോദ്യങ്ങൾക്ക് ഉത്തരം പറയണമെന്ന് ഞാൻ വിചാരിക്കുന്നില്ല.

കമ്മിറ്റിയുടെ ശുപാർശകളെല്ലാംതന്നെ കേവലം കടക്കാരെ മാത്രം സഹായിക്കുന്നതിനു പയ്യാപ്പുങ്ങളായിട്ടുള്ളവയാണ്. ഉത്തമർണ്ണനെ ഈ റിപ്പോർട്ടിൽ വിസ്മരിച്ചുകളഞ്ഞതു തികച്ചും ആക്ഷേപയോഗ്യമാണെന്നു പറയാതെ തരമില്ല. പലിശനിരക്കു മറ്റു സ്ഥലങ്ങളെ അപേക്ഷിച്ച് തിരുവിതാംകൂറിൽ ഇപ്പോൾതന്നെ വളരെ കുറവുണ്ട്. ആ സ്ഥിതിക്കു മേലാലുള്ള പലിശ കുറക്കാമെന്നല്ലാതെ പലിശയെസംബന്ധിച്ച് പിന്നോക്കം ബാധിച്ചുകൊണ്ടുള്ള ഒരു നിയമനിർമ്മാണം നടത്തുന്നതു് ഒരിക്കലും ശരിയായിരിക്കുകയില്ല. ഇതിനുംപുറമേ മുതലിൽനിന്നും തന്നെ കുറക്കാനുള്ള ഒരധികാരം കൺസിലിയേഷൻ ബോർഡിനു് കൊടുത്തതു് ഒരിക്കലും ന്യായമായിരിക്കുകയില്ല. കൺസിലിയേഷൻ ബോർഡിനെപ്പറ്റി പറയുകയാണെങ്കിൽ രണ്ടു് അന്യോഗസ്ഥന്മാരും ഒരു ഉദ്യോഗസ്ഥനും കൂടി ചെയ്യുന്ന തീരുമാനം ഒരു സിവിൽകോടതി അപ്പീലിനുപോലും വിധേയമാകാതിരിക്കത്തക്ക നിലയിലാണു് കമ്മിറ്റിയുടെ ശുപാർശ കാണുന്നതു്. ഇതു് രാജ്യരക്ഷക്കു് ഒരിക്കലും യോജിച്ചതല്ല. അടുത്തകാലത്തുതന്നെ ഉണ്ടായ വിധിനടത്തുകളെ നിത്തിക്കൊണ്ടുള്ള വിളംബരം ഈ നാട്ടിൽ വളരെ അസ്വസ്ഥതയെ ഉണ്ടാക്കി തീർത്തിട്ടുണ്ടു്.

DEPUTY PRESIDENT : അതു് രാജകീയ വിളംബരത്തിനു് ശേഷമാണോ?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*) : വിളംബരം വന്നതുമുതൽ ഇതുവരെ പണം കടംകൊടുത്തുകഴിഞ്ഞാൽ തിരിയെ കിട്ടുകയില്ല എന്നാണു് ജനങ്ങളുടെയിടയിലുള്ള വിശ്വാസം. ആ വിശ്വാസത്തെ ഉടനടി മാറ്റിയില്ലെങ്കിൽ അതു് ഭാവിയെ വളരെ മലിനപ്പെടുത്തും.

DEPUTY PRESIDENT : പണം ഇടാക്കാൻ പാടില്ലാ എന്നു് വിളംബരത്തിൽ പറഞ്ഞിട്ടുണ്ടോ?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*) : എന്നു പറഞ്ഞിട്ടില്ല, എങ്കിലും സാധാരണ ജനങ്ങളുടെ ഇടയിൽ വിളംബരം പാസായ ദിവസംമുതൽ ഒരു തെറ്റിദ്ധാരണയുണ്ടു്. അതായതു് ഗവണ്മെൻറ് കടം മുഴുവനും എഴുതിത്തള്ളുന്നു എന്നും അതുകൊ

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ണ്ട് തങ്ങാം ഇനി വാങ്ങിച്ച കടം തിരിയെ കൊടുക്കാൻ താമസിക്കുന്നതുകൊണ്ടു വൈഷമ്യം ഒന്നും വരാനില്ലെന്നുമാണു. ഈ മനസ്ഥിതി വാങ്ങിച്ച കടം തിരിയെ കൊടുക്കണമെന്നുള്ള ചുമതലയെ ഇല്ലാതാക്കി.

MR. N. E. VARUGHESE (*Tiruvalla I*): എത്രയും വേഗത്തിൽ ഇതിന ഒരു തീരുമാനം ഉണ്ടാക്കണമെന്നാണോ മെമ്പറുടെ അഭിപ്രായം?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): തീരുമാനം ഏതെങ്കിലും ഉടനടി ചെയ്യണമെന്നാണ് എന്റെ അഭിപ്രായം.

DEPUTY PRESIDENT: The member knows his responsibilities and rights. What is the meaning of putting such questions?

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): അതിനാൽ ഇന്നുള്ള അസ്വസ്ഥതയെ വർദ്ധിപ്പിക്കുമാറു ഉദാസീനത കൈക്കൊള്ളാതെ ഉടനടി ഗവണ്മെൻറ് ഈ സംഗതിയിൽ വേണ്ട തീരുമാനം ഉണ്ടാക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി വിരമിച്ചുകൊള്ളുന്നു.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, before I offer my remarks on the motion before the House, I wish to say a few words on an observation made by the Chairman of the Committee which forms a footnote in the Report now under Consideration, under the supplemental note by Mr. T. Kumara Pillai, a member of the committee.

I am sorry to observe that the Chairman of the Committee has not judged rightly Nanjinad, especially as he compared or contrasted it with Kuttanad. Sir, Nanjinad is Nanjinad and Kuttanad is Kuttanad. The two *Nads* are entirely different. Anyhow I do not see any justification whatsoever for the Committee for their entire omission of Nanjinad in their Report. Absolutely no reference whatsoever has been made to this famous part of Travancore. Nanjinad is historically important and is known as the granary of the country. It is not only regretable but also most curious to find the distinguished Chairman of this Committee brushing aside Nanjinad altogether, saying that Nanjinad suffers only for the present on account of the economic depression. As it is well known to the House, the recent drought was not peculiar to Nanjinad alone. As such, I do not see how the Chairman of the Committee thought it fit to say that the suffering of the Nanjinad people was only temporary on account of the present drought and the economic depression as if this unusual drought had not affected other parts of the State.

DEPUTY PRESIDENT: Does the Committee say that nothing need be done for Nanjinad?

MR. M. SIVATANU PILLAI (*Tovala*): Yes, Sir. The Report says :—

> "The Committee recognised that the agriculturists in Nanjinad have been severely hit by the fall in the price of paddy and that their condition has become worse in the last two years, on account of drought and the consequent failure of crops. Their indebtedness, however, does not, as in the case of the Kuttanad agriculturists, reveal any marked special features, distinct from those that

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[Mr. M. Sivatanu Pillai.]

are common to other agriculturists in the State. The special difficulties of the Nanjinad cultivators are those that concern the requirements of paddy cultivation and, therefore, *do not fall within the scope of the Committee's enquiry.*"

DEPUTY PRESIDENT: You are quite right. I too agree that they have made a sweeping statement.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): On a point of order, Sir. The member is discussing a foot-note, of the dissenting minute of the Chairman of the Committee, which does not form part of the Report proper, and for which the Committee is not responsible. It is the Committee's recommendations and report that are now before the House. In other words, the Committee is not responsible for any statement by the Chairman, whatever it may be worth.

DEPUTY PRESIDENT: I think Mr. Sivatanu Pillai is in order in making reference to a foot-note printed in the Report. It certainly does not possess the sanctity of a recommendation of the Committee. All the same, I think it is relevant and I am sure Mr. Sivatanu Pillai is not going to expatiate upon it very much.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I am thankful to Mr. Kunjukrishna Pillai for reminding me of the significant fact that, throughout the Report, there is absolutely no reference whatsoever made about Nanjinad. That certainly justifies my dilating a bit further on Nanjinad, with the permission of the Chair.

DEPUTY PRESIDENT: You do not require my special permission for that.

MR. M. SIVATANU PILLAI (*Tovala*): As I have been saying, Sir, the Chairman of the Committee has been making so much of Kuttanad and so little of Nanjinad that he thought it fit to throw Nanjinad overboard, out of consideration. Kuttanad has nearly two hundred thousand acres including about eighty thousand acres of *karapadom* lands and about fifty thousand acres of *kayal* lands. The former class is cultivated only once in two years, while the latter is cultivated once every year. The total approximate cost of cultivation in Kuttanad is Rs. 10 to 15 lakhs. That works out by simple division, to about Rs. 5 to Rs. $7\frac{1}{2}$ per acre.

Now let us turn to Nanjinad. There are about sixty-seven thousand acres of *ayacut* lands alone, leaving aside conversions cultivable thrice a year. Without any exaggeration, Sir, the cost of cultivating one acre of land in Nanjinad works out to about Rs. 45.

DEPUTY PRESIDENT: At this stage, I may make an enquiry. Does the Committee say that different parts of the State should be treated differently with regard to debt redemption? In that case, certainly your elaborate argument about Nanjinad will be necessary. But if the Committee does not say that Nanjinad should be excluded, if what they propose for the whole State is to apply to Nanjinad also, I do not think any more time need be taken by you to expatiate upon Nanjinad.

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MR. M. SIVATANAU PILLAI (*Tovala*) : Sir, the Committee's Report is absolutely silent about Nanjinad. That is my grievance. What I expected was that they would have given special consideration for Nanjinad, differentiated it from other parts of the country, even from Kuttanad, and recommended special treatment for the people of Nanjinad. To my surprise I found that absolutely no mention was made about Nanjinad in the Committee's Report.

While the cost of cultivation is, as has been pointed out by the Economic Depression Enquiry Committee, Rs. 45 per acre in Nanjinad, it works out to only about Rs. 5 or 7 in the case of Kuttanad.

MR. K. R. ELENKATH (*Kalkulam I*) : Does the Committee, in the Report, accord different treatments for Kuttanad and for Nanjinad ?

MR. M. SIVATANU PILLAI (*Tovala*) : There is no treatment at all. That is my complaint. I expected them to recommend preferential treatment for Nanjinad.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : According to the Report of the Economic Depression Enquiry Committee, is there any difference between the cultivator of Kuttanad and that of Nanjinad in his margin of profit?

MR. M. SIVATANU PILLAI (*Tovala*) : I am not thankful to the member for the suggestion ; I shall be coming to that very soon. Let me first answer the question put to me by Mr. Elenkath.

Sir, one acre of land is worth between Rs. 2,500 and Rs. 3,000, in Nanjinad. I shall be obliged to Honourable members who will inform me as to the value of one acre in Kuttanad and its rate of land-tax. With regard to land-tax, it ranges up to Rs. 36 per acre of land in Nanjinad. In fact nowhere under the sun is land so much taxed as in Nanjinad. If that did not weigh with the Committee to accord special treatment in the case of Nanjinad ryots I do not know how the Committee could justify itself in singling out Kuttanad alone for favourable treatment.

In regard to Conciliation Boards, there is a difference of opinion. Perhaps most of the members in this House may not be aware that once there were instituted block-boards in Nanjinad for the purpose of controlling irrigation of paddy lands under certain rules framed by Government. Now they have disappeared because they happened to be *black* boards. As the honourable member of the Liberal Party put it, I am rather not very much hopeful about these boards. Secondly, the Boards, as recommended by the Committee, are not going to be effective in their function. What they say is that it is only permissive.

With regard to the report, I am in full sympathy with what Mr. Puthupalli Krishna Pillai said. What he says is—are you prepared to enlarge the scope or the utility of the Land Mortgage Bank ? Before that, do not do anything. Even a casual reader can understand the pith of the report in spite of its voluminousness ; and if the Government are not prepared to enlarge the scope of the Land Mortgage Bank and advance more and more money to the people, there is no use in discussing the Report here.

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MR. K. C. ABRAHAM (*Kottayam II*): Sir, I am in full sympathy with the agriculturist for whose relief the recommendations of the Committee have been made and I do not think that any special case has to be made out for the purpose of enlarging on the distress and the need which the agriculturist throughout the land is feeling. We are now engaged upon the question of solving the difficulties of the agriculturist and I wish to say that the only method of solving it is to solve it. We have the assurance from the side of the Government that they are keeping an open mind on all these questions and they are alive to the situation. I wish to impress upon this House that it is not only sufficient to be alive to the situation but that the Government must also be actively alive. To be alive is very easy. But to be actively alive requires some amount of exertion. If I could second the voice of those honourable members who have been pressing for immediate action in this respect, I shall be very glad to do so and I assure the Government that, unless there is something done by way of speedy action for the amelioration of the conditions which have been mentioned in this House, there is nothing to be said by way of talking over it.

Coming to the recommendations of the Committee themselves, I wish to say that all those recommendations are, from a certain standpoint, quite appreciable. On analysing the question I suppose that some quality of thought of an original nature may be brought to bear upon the questions before us, different from the solution that has been effected in regard to this question in other countries like the much reputed Bhavnagar or the State of Marvar or the State of Sangli. Sir, I have always thought that in those States it has been a case of the agriculturists groaning not under a general kind of debt but from the oppression of what are called Sowcars and money lenders as a professional class. I do not know if any volume of agricultural indebtedness in this country has sprung from that source mainly. Therefore I wish to divide the case of the agriculturists, who are groaning under debts contracted from professional money-lenders from that of others whose debts are not of that nature. If you look at it from the elementary point of view, it is quite clear that debts, so far as agricultural communities are concerned, have always existed.

Well, it might be said that agriculture generally in any country passes through three stages. One is the very rudimentary stage of agriculture in which there is only a hand-to-mouth existence and there is not such a margin of profit as to enable the agriculturists to carry on agriculture on a very vast scale. That rudimentary or elementary stage has passed in this country. In that stage particularly I have thought that there is no question of indebtedness. There is another stage which I may call the tertiary or the last stage where agriculture is generally carried on on scientific lines and it is more or less of an intensive character, intensive either in extent or in the nature of large-scale mass production. At that stage it becomes more of an industry and not exactly agriculture. I believe that stage has not been reached in this country. We are now labouring in what may be called the

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secondary formation of agriculture. In every country where it is at that stage, the agriculturist has never been known to be free of debt and his debt has ever been increasing in that stage. I am not aware that any country which is passing through that stage has been able to grant relief to the agriculturists from indebtedness. In fact the agricultural community has never been able in that stage to get over the debt. Well, if that be the case, and if the House agrees with me that we are in the secondary formation of agriculture, certainly what is it that we have to grant? There must be necessarily the debt; and if it is a case of relieving indebtedness of the agriculturists generally, then certainly I would agree with Nalinaranjan Sarker who advised a wipe out of all indebtedness of agriculturist at one stroke to make him free. Well, that may be a course which may with certain advantages be followed. But if that were not possible, then certainly we have to make a distinction and it is towards that one point that I wish to make my submission.

Sir, what is it that the complaint is about? There are certain agricultural debtors who either by oppression or by force from creditors have been brought before the court and by compulsory processes are proposed to be expropriated. That, I suppose, is the grievance. Owing to the reduction of prices, owing to the general decline in the value of land, when the creditor forces the agricultural debtor as any other debtor for a compulsory payment and when the machinery for forcing him to make a compulsory payment is put into operation as through the courts, then there is a complaint. Are we going to solve that complaint? Or are we going to solve the complaint of the agricultural community in general? I believe that it is more towards the former purpose, of those who are being oppressed by forcible steps through courts of law and whose properties are on that account going to be taken away from them that we are having this course of legislation proposed. Sir, if that is so, my submission is there is a very easy method of getting through the difficulty. The only point of difficulty is the evaluation of the properties properly so as to benefit both the creditor and the debtor. Would it not be possible through the existing machinery of the courts of law to find a solution when the debtor and the creditor fall out? If it is a general reorganisation that is intended to be brought about, then certainly other considerations might prevail. But I do not think that that is being attempted. If, on the other hand, at the time when the properties are put up for sale, such a machinery can be introduced in the procedure of law that, as in the case of the land acquisition cases, the court might fix a value upon the property, that, during that particular stage of execution proceedings, the courts might be empowered upon evidence and through proper proceeding to come to an evaluation and sell the properties or compel the creditor to take the property upon that valuation, then certainly I think that 90 per cent. of the whole trouble might be overcome.

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[Mr. K. C. Abraham.]

Sir, I wish to say a word about the Debt Conciliation Boards. I have been waiting patiently to hear what the members of this House had to say about the working of such boards in other States. I believe I had no information from any honourable member whether in any other country the conciliation boards have been satisfactorily working. It is not that I deprecate the idea of conciliation boards. But I am myself apprehensive as to how far they may advantageously work in centres where litigation, litigiousness and all sorts of sly practices are carried on.

As regards the question of foreclosure, I wish to say only one word. If immovable property has been secured for a debt and if the debt can be realised out of that immovable property upon recognised canons of valuation of that property, then it is my opinion that the creditor should not be allowed to realise it out of any other property. The security should be sufficiently good and sufficiently ample for the purpose of satisfying the creditor.

DEPUTY PRESIDENT: We have got some time more to continue this discussion, There are many members yet to speak. Therefore, I have to tell the House that the members who speak hereafter may confine their remarks to new points which they propose to deal with. I have been listening carefully to some of the speeches and I find that there has been considerable repetition of facts and arguments. I am mentioning this only to make it possible for as many members as want to speak to avail themselves of the opportunity and also to get as much information as it is possible. There is the Report and there are the definite findings. If the findings require improvement, there are these amendments which are before the House. It is almost certain that there has been almost a consensus of opinion that the amendments which have been moved cover the main ground. Therefore, I would request those members who want to speak to develop only points which are new I now call upon Mr. Elenkath to speak.

MR. N. E. VARUGHESE (*Tiruvalla I*): May I make a suggestion for the consideration of the Chair? The time for the sitting of the House to-day may be extended to 7 o'clock.

DEPUTY PRESIDENT: Time has its own value, and arguments have their own value. I am quite sure the House will agree that the request made by Mr. Varughese is premature. I shall not consider that suggestion at the present stage.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, while supporting generally the recommendations of the Committee, I wish to offer a few observations on such of the recommendations that have not been found to be acceptable to some members of this House. With regard to the scope of redemption, I am of opinion that redemption should affect all those agriculturists whose present condition has been brought about by reasons beyond their control. Opinions have been expressed in this House that limitations should be fixed on those who have an annual income of Rs.1,000 or more and on those agriculturists who are not occu-

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pied with paddy cultivation or cocoanut cultivation. To me it seems that, if such a conservatism even in the field of agriculture is advocated, there is going to be a gloom in that field also. I ask, Sir, is it the fault of the planters who have had very disappointing experience in the cultivation of paddy to have had recourse to other profitable cultivations of plants, if not crops,in a spirit of hope, and with untiring enterprise and have thus offered new avenues in the field of agriculture for the development of the State? We find from the Report that these planters have been responsible for developing more than 88,715 acres of land in hilly tracts which are not easily accessible to mankind. I will go a step further than the view expresed by the Committee as regards these planters who according to them are speculators and say that these planters who form not an inconsiderable factor in the sphere of agriculture in the State were not speculators but pioneers in a new field of agriculture. In a country which is not self-dependent, where the staple food is not produced sufficiently within the State, you cannot term a cultivator of a particular crop or plant as a speculator and another as not a speculator.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I know the total area planted by Travancore capitalists and non-Travancore capitalists?

DEPUTY PRESIDENT: Mr. Elenkath did not draw a distinction between Travancore planters and non-Travancore planters.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): I want to know that.

DEPUTY PRESIDENT: You are not in order in asking that question now. When he refers to that, you can ask that question.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, suppose some of us find paddy fields do not yield and we resort to sugar-cane cultivation and we do so on an extensive scale and suppose suddenly the price of sugar-cane falls down. I ask, Sir, are we to be penalised for this act and to be deprived of the advantages that the State may be prepared to offer to the paddy cultivation when the price of paddy fails? I ask whether we are not entitled to the same concessions as the other subjects of H. H. The Maha Rajah for the only reason that we were prudent, and for the reason that we were not conservatives in agricultural outlook.

DEPUTY PRESIDENT: So your idea is that they are more pioneers than speculators?

MR. K. R. ELENKATH (*Kalkulam I*): Yes, Sir. I am very sorry to note that a member of the Committee has denounced the agriculturists as improvident and all that. The very same gentleman, when speaking of creditors, says:—

> "In regard to the supposed appreciation of money value I have to state the wants of a creditor are not confined to the articles of food alone. The major portion of his budget remains unaffected. The cost of education, medical fees, court fees, railway fare, dowries, gold, social functions, and other necessities have not in any way been materially affected by the fall in prices"—

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[Mr. K. R. Elenkath.]

Sir, this gentleman in all the glory of a money-lender finds that the agriculturist though in prosperous days should not and would not incur these expenses legitimately. According to him, what the agriculturist spends even for the needs mentioned above of the money-lender in his case is spent lavishly and improvidently, whereas the money-lender does everything well and could not do without them. My point is that the same conditions exist for the agriculturist also in matters regarding the needs of himself and his family. He has to educate his children, and he has all the other needs. So, all the reliefs are due to him for the conditions have been brought about by no fault if his.

With regard to the rate of interest, it must be admitted that the banker is not dealing with his own money alone. If the rate of interest due to him is made the same, justice would not be done to him for he has to pay interest to the depositor to whom he is a debtor. His capacity is therefore that of a creditor as well as a debtor and hence the Committee's recommendation regarding the difference in the rate of interest in the case of the ordinary creditors and the banker is quite justifiable. If improvidence could be penalised, why not miserliness also be penalised? It is the misers who lend money on usurious interest to individuals while those who look to reasonable rates of interest deposit their money in banks.

DEPUTY PRESIDENT: Do you call all investors misers?

MR. K. R. ELENKATH (*Kalkulam I*): No.

With regard to the other remedies suggested, Mr. Kunjukrishna Pillai's amendments do not cover all of them. While supporting his amendment, I would add that the recommendations regarding immunity from arrest of debtors and that regarding the *otti* laws be also included.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Sir, I wish to say a few words on this subject not because I have anything new to say but merely to explain my position in regard to the several points raised in the debate before give my vote. The question before us bristles with difficulties. In trying to steer clear of one danger we should take care that we do not fall into a greater one. We have to protect the interests of the indebted agriculturists; but at the same time we should not endanger the position of the creditors. We have, therefore, to proceed with caution. Otherwise, great damage might be done.

The question now before us no doubt is how to combat agricultural indebtedness. In dealing with this question, I am distinctly of opinion that no invidious distinction should be made between large scale planters and small scale planters, or between those whose debts are large and those whose debts are small. The present condition is an extraordinary one. It has brought about various difficulties. And these difficulties are common to all classes of people, whether they be cocoanut or paddy or rubber planters. It was suggested that tea, cardamoms or rubber planters should not be brought within the ambit of the present relief measures. I do not agree with this view. In regard to

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tea and cardamom planters, I have nothing to say as they are mostly foreigners and are not entitled to the benefit of the present proposals. That is not the case with rubber. In regard to rubber, out of 97 thousand acres of rubber plantations in this country, 60 to 70 thousand acres are owned by Travancoreans. They have invested nearly two crores in this business and even at the present slump price of rubber they bring about 35 lakhs of rupees annually into the country and pay about a lakh of rupees to Travancore Government as tax. It is a very important industry. There is also another point to be considered in regard to this and that is they are indebted not to Travancore bankers but to coastal firms. These firms are willing to give them all manner of concessions with regard to interest, scaling down of capital, etc. Under the circumstances, I do not see why they should be excluded from the benefits of the proposed measure.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What is the objection in bringing the coastal firms within the concession?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): If they are excluded, the planters think that the concessions they are now promised will not be granted.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is it something like a coercion?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): No. In order to ensure their position, they want legislation. That is reasonable I think.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it the opinion of the member that the coastal firms are not quite willing to care for the concessions offered to them?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): My opinion is based on the reports of conversations I had with the rubber planters and I know nothing more about it.

DEPUTY PRESIDENT: Does the member think that European planters of North Travancore should not be given concessions even by Government?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): What I say is, they are not likely claim to any from us. They are able to stand on their own legs and are not likely to ask for any concessions and even otherwise their creditors are not Travancoreans who will alone be bound by any legislative measure passed by us.

Again I do not see any reason whatsoever for excluding debts due to co-operative societies from the definition, of 'agricultural debts.' This exclusion has been made against the evidence given before the Committee by the present Registrar of Co-operative Societies, his predecessor in office as well as Mr. G. K. Devadhar. No reasons have been advanced as to why debtors of co-operative societies should not get the benefit of reduction of interest, or payment in instalments. As a matter of fact, debtors of co-operative societies are the real persons who deserve relief as they are mostly small agriculturists. They

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[Mr. Changanachery K. Parameswaran Pillai.]

require relief as much as any other class of people. There is absolutely no reason why their debts should be excluded from the definition of "agricultural debts".

Now as my time is up, I shall wind up by refering to the Conciliation Board proposed to be established. Allthough in theory it is a good institution, in actual working it will create difficulties. The same opinion I expressed before the Committee in my evidence. It is very difficult to find suitable men to fill the places of members of Aricultural Debt Redemption Board in the villages. We want honest and enlightened men of character with some knowledge of law. To get such people in the villages is extremely difficult. It is also necessary to ensure expedition in the Boards' work. Further provision will have to be made also for communal representation as well as for representation of such interests as labour and capital. In order to ensure expedition, the boards will have to work full time, and here the question arises whether members will consent to work full time without remuneration. I may assure my young Vakil friend that when I raised the question of payment of members by way of a supplementry question I did not intend that retired officers should have any chance of nomination as members if remuneration was paid but the idea uppermost in my mind was the relief that it may afford to the large number of unemployed and starving Vakils. But that apart I may say that, unless the members are paid, you cannot expect them to work full time. If they are to be paid, I ask why not have a few more courts in which people will have greater confidence than boards.

I am therefore not in favour of the creation of Conciliation Boards. If on the other hand you get good men of character and with knowledge of law, there may be no difficulty. But this is a big 'if'; and from my knowledge of the country, I must say that I cannot subscribe to the view that the Conciliation Boards would work satisfactorily.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): I have no hesitation to applaud the recommendations contained in the Agricultural Debts Redemption Committee Report as eminently satisfactory and I have therefore very great pleasure to support the amendment moved by Mr. Kunjukrishna Pillai, most of which are in perfect agreement with the recommendations embodied in the report. Couched in a lucid and clear language, and containing in one single document all that should be said in favour of the agriculturist as well as against him, the report should be welcomed, both by the Government and the people as an impartial and valuable document on the question of agricultral indebtedness. I should think rather that the remedies suggested to tackle this stupendous problem do not go far enough; but this is not, however, the fault of the authors of the Report. The very condition under which the debtors are placed at present baffles a speedy, faultless solution. It is true that agriculture is a precarious occupation; and so long as it is allowed to remain in its present tottering condition, the cures applied for cutaneous scaling will not avail much in the long run. But a library of suggestions may be offered to improve agriculture and

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industrialise the land; but, Sir, this is not the time nor the occasion to dabble on and decide nothing. It is not quite easy to wipe off the whole evil in a short time and at one single sweep. In the absence of any other better method willingly adopted by our Government as was done in the sister State of Bhavnagar, it is but practical politics to accept the proposals in the Report, which are, on the whole, safe and satisfactory.

About the creation of the Debt consiliation Boards much has been said here. I am not however, so pessimistic as some of the previous speakers. Owning as I do the same anxiety as that of the mover, I would also earnestly urge on the attention of Government that considerations communal, personal or othervise should on no account interfere and vitiate the selection of the personnel of the Board. If, Sir, the most efficient and proper men are not available or could not be picked out, As Mr. Thanu Pillai suggested, it is certainly better that full time officers are appointed rather than creating Boards consisting of non-officials and officials. Once more congratulating the members of the committee for the instructive, illuminative and impartial document they have provided us with within the short time at their disposal, I support all the motions that are not antagonistic to the major recommendations contained in the report.

MR. PACODE A NARAYANA PILLAI (*Vilavankod*): This problem of agricultural debt redemption is the problem of all problems now facing the Government as well as people of the State. It is a problem which requires an imminent solution. If it is not solved, we have no idea of the dangers that lie ahead. Sir, we are living in an age of plan and economy. There is nothing new or revolutionary in the various recommendations made by the Committee. Members of this House are aware of the various National Recovery Acts passed by President Roosevelt of America for the rehabilitation of industry and agriculture at a time when the depression shattered the very foundations of these industries. Again, Sir, we have heard of the 'New Deal' of that veteran British statesman Mr. Lloyd George. We have also heard that in several parts of India both British Indian Provinces and States, various measures of debt redemption such as debt conciliation, reduction of interest, establishment of land mortgage banks, etc., are adopted.

Various economic measures were tried in some places successfully, in some others not so very successfully. Whatever it is, in my view, the recommendations of the Committee constitute a very sound system of economic planning conceived in the interests of industry and also for the protection and well-being of the agricultural classes in general. The very foundation of a sound system of economics consists in the production of wealth and its proper distribution. I do not think, in any of the recommendations of the Committee, there is any suggestion which would affect the fundamentals of sound production and distribution of wealth.

I fear a cry has been raised in certain quarters that proprietory rights are in danger of expropriation and the sanctity of contractual obligations is in jeopardy. This cry is not a disinterested one. Sir, a century-old legislation, laying down the rate of interest at a time when conditions were very different, a rusty piece of legislation, if I can

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call it so, is very much before our eyes and we are frightened by this scare of expropriation. Everywhere the voice is heard that credit will fly away and the sanctity of contractual obligations violated. These catchwords are intended to burk the discussion and cloud the real issues in the matter These high priests of credit and proprietory interest, these apostles of contractual obligations are not the saviours of agriculturists. A case for substantial reduction of interest and the debt burden is so well established that I do not think any elaborate argument is necessary to prove that. The argument that a reduction in the rate of interest must bear a reasonable proportion to commodity prices is just in view of the fact that there is nearly a fall of 60 per cent. in the price of articles. That, to that extent of fall in prices, there must be reduction of interest is a very moderate proposition.

The same arguments hold good in the matter of scaling down the debts also. I agree with an honourable member of the Committee, I mean Mr. P. A. Abraham, when he says that the whole question could be solved—

> "by appealing to the best in human nature and by kindling the good sense in them rather than by the rigid insistence on legal rights and remedies".

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Sir, the two most important reliefs that the agriculturists stand in need of at present, are the reduction of interest and the provision for payment of debts in instalments. It will be conceded on all hands that, unless the interest is reduced, the price of land will not increase; and unless the price of land increases, debt also cannot be cleared up. But in regard to interest, in Travancore, even a hundred years ago, there was a Legislative enactment that in no case interest can exceed 12 per cent. at a time when 36 or 54 per cent. was in vogue in British India.

DEPUTY PRESIDENT: That was repeated several times in this House.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Such being the case, I am not in favour of reducing interest any further than 6 per cent.

In regard to Debt Conciliation Boards, I have got my own apprehension whether they would work successfully. Much depends upon the personnel of the board; and as matters must be disposed of as quickly as possible, persons of high character and considerable experience will have to be chosen to constitute the board. It is stated that the decision of the board shall be final. My suggestion is that the parties must be given an option to make a reference to the High Court when the decision of the Board is vitiated by fraud, misconduct and such other causes.

DEPUTY PRESIDENT: Only by the High Court?

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): In cases of fraud, misconduct and such other causes, the party must have the right of a reference to the highest court in the country.

DEPUTY PRESIDENT: Fraud very often requires investigation into the facts.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): If all the subordinate courts are given this power, then it will considerably delay matters.

DEPUTY PRESIDENT: So you will create a kind of original jurisdiction in the High Court?

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MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : Or revisional jurisdiction. With regard to the definition of "agriculturist", the decision of the board is made final. So far as the matter of conciliation is concerned, I am of the view that the party must be given an opportunity to refer the matter to the High Court just as in the case of revisional cases under section 89 of the C. P. C.

With regard to the methods of future payment of debt and of paddy loans, the working of the Land Mortgage Bank and its future policy of financing the agriculturists, all these are necessary; and I heartily endorse them.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Sir, on the Report of the Agricultural Debt Redemption Committee in general and on the amendment proposed by Mr. Kunjukrishna Pillai in particular, I wish to offer a few marks.

Some of the Honourable Members thought it necessary to make a distinction between the rubber, tea and cardamom cultivators and other ordinary cultivators. It is not that there are large cultivators and small cultivators of rubber and cardamoms. The definition of agriculturists excludes agricultural corporations, so much so that it does not come within the purview of this definition to include those persons who are holding lands under Joint Stock Companies. Whether he be a big or small planter is immaterial for the consideration of the Report. So my humble submission with regard to that matter is, whether he holds large estates or small estates, that he should also be given the relief under the Agricultural Debt Redemption Committee's Report.

A word with regard to the cardamom cultivators. I know, as a matter of fact, that there are cardamom cultivators and there are a lot of people now undertaking that business in spite of the fact that a large portion of the cardamom estates in the Devicolam Division is in the hands of foreigners. It can never be called an industry so far as Travancore is concerned. It is a planting business. So far as agricultural debt redemption is concerned they can never be excluded.

With regard to interest, I would refer to page 130 of the Report where some distinction is made between the interest on secured debts and on unsecured debts. There it is stated that for a period of two years the maximum rate of interest shall be six per cent. in the case of unsecured debts. I say that this should be uniform, The next paragraph on that page is with regard to compound interest.

"In no case compound interest shall be allowed."

This illustration pointed out would show the very same thing. Compound interest, at any rate, cannot be allowed.

Then, a word with regard to the co-operative societies. If I understand correctly, big sums have not been borrowed by borrowers from Co-operative Societies. Only Taluk Banks and Urban Banks might have borrowed large sums. In the case of individuals, it may be something below Rs. 2,000. It comes to only Rs. 500 or so. It is the

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ordinary cultivators who have borrowed money from co-operative societies : and if they are not allowed the relief under the scheme, it is rather a pity that this Report has been prepared. Unless and until real relief is given to them, there is absolutely no relief given to the agricultural debtors.

(At this stage the bell rang)

Since the bell rang I shall be failing in my duty if I do not say a word about the Committee and its Report. I should only say that all praise and congratulations are due to the Committee for their excellent Report which they have produced and for finding a solution of such a complicated problem.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : Sir, I support the amendment moved by Mr. Kunjukrishna Pillai. In doing so, I am in full agreement with the sentiments expressed by honourable members Messrs. Elenkath and Changanachery K. Parameswaran Pillai. In addition to their suggestions, I have to bring to the notice of the House a few other matters. In the Report the creditors are divided into two separate classes. I cannot understand why the Committee did so. Certain Bankers by throwing out high expectations to the poor cultivators collected all the money from the villages and deposited them in their banks. So the poor agriculturists were not in a position to borrow money from their neighbouring agricultural friends. These agriculturists had to go to the Bankers for loans and they lent them money at 18 to 24 per cent. interest by realising the interest by monthly interests or calculating interest by monthly rests. Finding it difficult to get back this money, they also began to get documents executed stipulating very high interest. In my younger days, the interest was not higher than 6 per cent. for money and 8 to 12 per cent. for paddy. Now the interest has risen to such an extent as 24 per cent. The Government also have helped the capitalist creditor in putting the poor agriculturists into difficulties. The promulgation of the Civil Procedure Code of 1100 increased the rate of interest from what existed before. That is, from the date of suit to the date of decree, interest was allowed only at 6 per cent. on the principal amount. But the Civil Procedure Code helped the creditors to get 12 per cent. on the principal amount from the date of institution of the suit to the date of the decree and 9 per cent. interest on the aggregate sum from the date of the decree. This also put the poor agriculturists into greater difficulties. Such being the case why should these bankers, who have sucked the blood of the poor villagers, nay, who have extracted the very flesh of the poor agriculturists, be favoured by allowing a higher rate of interest than the poor agriculturists, and other creditors ? Such an unjust differentiation should never be allowed. That the purchasing value of money from 1105 onwards has trebled is a self-evident truth. That shows that the selling price of immovable is reduced to one-third of what was obtainable before. Unless the debts are scaled down, the poor agriculturists will not be in a position to get credit to clear away their debts. If the debt amounts

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are lowered, the actual value of the land in the debtors' possession will rise and thereby they would be enabled to rise money to repay their debts. Under these circumstances, I request the House that the interest should be fixed at 4 per cent without any difference of creditor classes and that rate of interest must be made the standard rate till any Regulation is passed in pursuance to the report under discussion.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Sir, the Committee's report contains proposals both for the redemption of agricultural indebtedness and for relief of the agriculturists. The proposal regarding redemption of agricultural debt is that relating to the constitution of Debt Conciliation Boards. The Committee's conception of Debt conciliation Boards is this. The Committee have observed in their report :—

> "Any scheme of debt conciliation could not succeed until adequate organisation for carrying out debt clearance has been built up and unless some agency like the Government or the co-operative credit societies or land mortgage banks where they exist, is forthcoming to make cash advances to the debtors, in order to enable them to pay the compounded debt, at least in part, to the creditor."
>
> "It is from this point of view that we have considered it necessary to recommend, the expansion and reconstitution of the Land Mortgage Bank, as an essential complement and counterpart of debt conciliation".

Sir, they consider that their scheme of debt conciliation should be considered along with a scheme for the reconstitution of the State Land Mortgage Bank. Evidently they seem to think that a scheme of debt conciliation cannot succeed unless the re-constitution of the Land Mortgage Bank on the lines suggested by the Committee is effected. We shall just consider the financial implication of the scheme. Let us suppose it is possible for Government to reconstitute the Land Mortgage Bank on the lines suggested by them with a view to redeem agricultural debts by the agency of the Land Mortgage Bank. Sir, the agricultural debt has been estimated at 20 to 25 crores of rupees. At a modest estimate let us take it to be 20 crores. The Committee has dismissed as impracticable the possibility of Government redeeming the entire debt by directly financing it. Let us consider then the possibility of Government issuing debentures; what will be the financial implication of such a proposal? The Government will have to guarantee interest on about 20 crores of rupees at 4 per cent. which will mean an annual burden of 80 lakhs of rupees or possibly a crore of rupees. Is this liability one which the Government can undertake at this time of financial stringency? Or can Government undertake this liability even at a distant future, involving the payment of interest to the extent of a crore of rupees from year to year. Sir, let us next consider the question as to whether the Government can guarantee interest on debentures that may be issued by the reconstituted Land Mortgage Bank. The number of debtors whose debts do not exceed Rs. 5,000 has been worked out by the Committee at 98 per cent. of the total number of debtors. Even in the case of these debtors the total volume of debt will work out to 60·78 per cent. of the total volume of debt and the Government would have to guarantee payment of money at 4 per cent.

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per annum even if the debt is compounded at 75 per cent. Sir, these are all sheer impossibilities and Government cannot undertake liability to that extent. Therefore the scheme of debt conciliation cannot be worked out on the lines suggested by the Committee. That reduces itself to the position that redemption of agricultural indebtedness is a practical impossibliity.

We have therefore only to consider the proposals given by the Committee regarding the relief to be given to agricultural debtors. They are the only proposals which can command our attention. The proposals relating to this are the provision for payment in instalments and the provision for reduction of interest. With regard to the provision for reduction of interest, the Committee recommends that, in the case of transactions entered into prior to 1105, the interest should be reduced to 4 per cent. or half the contract rate. Sir, that means that the interest payable on the transactions entered into prior to 1105 will be varying from case to case. That is a thing which should be not sanctioned by any legislative enactment. I suggest that some definite rate of interest should be fixed which cannot vary according to the nature of the transaction that was entered into before 1105. Notwithstanding the sanctity of contracts and contractual obligations, some reduction in the rate of interest may be made. This principle has been recognised in several other States and several Provinces in British India.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether different rates of interest may be levied by different classes of creditors such as Bankers, Chitty Foremen, etc.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Of course, there seems to be some justification for that. The Committee has made out a case for differential treatment to Bankers and I agree with the Committee. The Banks require special treatment because they have been dealing with funds which they have borrowed. It will not be fair to reduce the interest to anything below what the depositors themselves have been paid by the Bankers.

One word about payment in instalments. While payment in instalments may be permitted, the maximum period may be fixed in consonance with the maximum periods fixed in other States and Provinces.

DEPUTY PRESIDENT: I will call upon Mr. Chacko presently. Before that, I wish to tell the House that, as far as possible, I like to give chances to as many members as possible to speak. We have got a little more than half an hour. If the House will agree, I am prepared to extend the time by a few minutes. But however much I may extend the time, unless very serious effort is made to make speeches very brief, the other members will not be able to speak. I just put it to the House.

MR. V. T. CHACKO (*Muvattupuzha I*): Sir, while supporting the recommendations of the Committee on the whole, I may say I take objection to the institution of the Debt Conciliation Board. Very few people have any confidence in the Board. A Board necessarily means expenditure and its decision may or may not be acceptable to all parties concerned.

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MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it not the case with Courts also ?

MR. V. T. CHACKO (*Muvattupuzha I*): That is quite different. With the short time at my disposal, I fear I shall not be able to answer questions.

DEPUTY PRESIDENT: That appeal is being respected.

MR. V. T. CHACKO (*Muvattupuzha I*): In case the decision is not acceptable to one party, then also the matter will have to be finally decided by a court of law. Why should there be a duplicate machinery when we could avoid it ? The various complaints one comes across against some of the Panchayat Courts and such like institutions (Mr. Sivatanu Pillai : (*hear, hear*) would make one hesitate to accord his sanction to such an institution.

When a rich creditor is arraigned against a needy debtor, a Board is not the kind of institution to be entrusted with such heavy responsiblities. The civil courts must be authorised to perform all the functions of the Conciliation Boards. A dispute as to the amount of debt must be settled by a civil court. When once the amount is determined, the decree-holder may be allowed to attach any property he pleases of the debtor; thus far and no further should he be allowed to proceed. The court must be authorised to make the creditor receive the decree amount in 20 instalments at 4 per cent. interest during the depression period.

Now, if the Land Mortgage Bank is allowed to do this, why not the creditor also be asked to do so ? Interest is a very nasty question. When the debtor is allowed to pay his debts in 20 instalments at 4 per cent. he is induced to become more thrifty in his expenditure and more punctual in his payments to the creditor and the creditor will have no complaints to make. He does not lose a penny of his dues. If he is a debtor in his turn, he will have all the blessings and benefits of this arrangement. But if he be not, he is simply asked to follow the example set by the Government, if not, the noble precept "love thy neighbour as thyself."

It has to be remembered that the vast majority of the population, nay, 75 per cent. of the population, is heavily in debt. If the creditor is not amenable to reason, he will be a loser in the long run. If the existing law is allowed to run its course, 75 per cent. of the population will have to be declared paupers. Then to whom would the money-lender lend his money ? The prosperity of the borrower is a condition precedent to the money-lending business.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Sir, the Report of the Agricultural Debt Redemption Committee sets forth in detail the condition of the agriculturists in the State and the necessity for the adoption of all measures to rescue him from his present indebtedness. From the proposals of the Committee, it would be clear that the Committee had realised the necessity for taking immediate action. That is why it has suggested that temporary measures should be provided before proper law is enacted. Sir, I have no doubt that many of the

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proposals would result in real relief. At the same time, I am obliged to say that some recommendations are faulty that they will defeat the purpose for which they were invented. For instance, one of the crucial recommendations in that for the establishment of Debt Conciliation Boards. I am certain that if, in pursuance of that recommendation, Boards are established, so long as they are going to be, we are not going to get anything tangible in effect.

Then as regards the rate of interest, I have no doubt that, so far as interest after 1105 is concerned, anything beyond 4 per cent. may not be justifiable. And there is no reason why a discrimination should be made in favour of such institutions as Banks. These Banks have reaped large profits out of their dealings and many of them, I am told, are not giving more than 4 per cent. on deposits. Even granting there are some Banks which are giving more than 4 per cent. interest, what I would submit is that, in view of the large majority of the people who stand to be relieved, it is not too much to say that these Banks may also be made to undergo some sacrifice on that account for the State as a whole.

With regard to interest already paid, the Committee recommends that that need not be taken into account. I submit that a portion of that should be credited in favour of the debtor. Any balance left after allowing interest at 4 per cent. should be credited towards the principal.

With regard to exemption from arrest for debt, it is high time, Sir, that the Government removed that provision from the Statute Book.

DEPUTY PRESIDENT: The Government cannot do that; it is only the Legislature that can do it.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Yes, Sir.

The Committee wants the co-operative societies to be exempted from the operations of the recommendations in the Report. We all know, Sir, that many of our agriculturists are debtors to co-operative societies. Government will not, therefore, achieve their object if they exempt co-operative societies, which have advanced money, from the operation of the recommendations of the Committee.

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): In general, I support the recommendations of the Committee. Some of my honourable friends here seem to entertain some apprehensions about the conciliation boards, their constitution and working. Personally, I do not share with them any such apprehension. No doubt, the jurisdiction and powers of these boards should be restricted. My suggestion is that Taluk Boards should not have jurisdiction above Rs. 2,000. For debts between Rs. 2,000 and 5,000, Divisional Boards must have jurisdiction; each Division should have a Divisional Board. For amounts above Rs. 5,000 one all-Travancore Board should be constituted. My own idea is that it is not at all difficult to get suitable men to serve on these Boards. It is not difficult to get honest men for the purpose.

DEPUTY PRESIDENT: What is the test for honesty?

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): From a man's general conduct, it is not difficult to know whether he is honest or not. All the

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taluks in the State have got suitable men to serve on the Taluk Boards. The best men in each Division could be chosen for the Divisional Boards. Similarly, for the all-Travancore Board, the best men in the State, men who have made a name for their honesty and character, should be chosen. And, the people also will not feel any inconvenience on account of this system that I suggest; because about 83 per cent. of the debtors owe only debts below Rs. 2,000, only 12 per cent. of the debtors owe amounts between Rs. 2,000 and 5,000; and debtors who owe over Rs. 6,000 form only 4·5 per cent. of the total number of debtors. So my suggestion in this respect is sure to appeal to all.

Another restriction that I would impose on the working of the Boards is to allow legal practitioners to appear before the Boards. That will be a useful restriction to abuse of power by the Board.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kumattur cum Pattanapuram*): Does the member want pleaders to be allowed to appear before these Boards or not to be allowed?

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): I want them to be allowed; because that will serve as a very wholesome check on these Boards.

DEPUTY PRESIDENT: So, it will be a help to the Board, and not a limitation or restriction?

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): It will be a check to abuse of powers.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Will it not lead to law's delays?

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): On the other hand, I think the appearance of pleaders will make matters easy for the Board, and they will be able to dispose of cases quicker.

MR. M. SIVATANU PILLAI (*Tovala*): Is it the member's idea that adjournment applications by vakils should not be allowed by the Boards?

DEPUTY PRESIDENT: That is a detail; you need not answer that question, Mr. Sivaraman Nair.

MR. R. SIVARAMAN NAIR (*Tiruvalla II*): In regard to the methods of conciliation, the Committee contemplates two methods, (i) allowing the debtor to keep for himself 25 per cent. of his assets in any event, or (ii) allowing repayment of the debt in instalments. I would suggest that the repayment in instalments must be applied only to debtors whose debts do not exceed 60 per cent. of their assets. In all other cases, the debtor may be allowed to retain for himself 25 per cent. of his assets, rather than allowing him to pay in instalments.

MR. K. P. KRISHNA MENON (*Parur*): ജനനിവാരണക്കമ്മിറ്റിയുടെ റിപ്പോർട്ട് യഥാർത്ഥമായ കർഷകക്കുണ്ടായിട്ടുള്ള കടത്തെ ബാധിക്കുന്നതെല്ലാം. ഉൽപന്നങ്ങളുടെ വിലക്കുറവു, കൃഷിദോഷം എന്നിവ നിമിത്തം യഥാർത്ഥമായി നഷ്ടം ഉണ്ടായിട്ടുള്ള കർഷകക്കു വേണ്ട പരിഹാരം ഉണ്ടാക്കികൊടുക്കണമെന്നുദ്ദേശിച്ചാണ് അതിലേക്കു ഒരു കമ്മിറ്റി ഏർപ്പെടുത്തിയിട്ടുള്ളതു.

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MR. N. E. VARUGHESE (*Tiruvalla I*): I rise to a point of order. Can a member who usually speaks in one language speak in any other language without the permission of the Chair?

MR. K. P. KRISHNA MENON (*Parur*): I have obtained permission, Sir?

DEPUTY PRESIDENT: From whom?

MR. K. P. KRISHNA MENON (*Parur*): From the President, Sir.

DEPUTY PRESIDENT: Is it a general permission that you say you obtained from the President?

MR. K. P. KRISHNA MENON (*Parur*): Yes, Sir.

DEPUTY PRESIDENT: Then, you may go on.

MR. K. P. KRISHNA MENON (*Parur*): I have obtained a written permission from the President, Sir.

DEPUTY PRESIDENT: I have accepted your statement. You need not say all that.

MR. K. P. KRISHNA MENON (*Parur*): കൃഷി സാധനങ്ങളുടെ വിലക്കുറവും, കൃഷിദോഷവും നിമിത്തം യഥാർത്ഥമായി ഉണ്ടായിട്ടുള്ള കടത്തിന്റെ കണക്കു നോക്കിയാൽ അതു് റിപ്പോർട്ടിൽ കാണിച്ചിരിക്കുന്ന സംഖ്യയേക്കാൾ വളരെ കുറവായിട്ടുമാത്രമേ കാണുകയുള്ളു. കൃഷിയുടെ ദോഷംനിമിത്തം യഥാർത്ഥമായി സംഭവിച്ചിട്ടുള്ള കടങ്ങൾക്ക് ശരിയായ വിധത്തിലുള്ള സൌജന്യങ്ങൾ ചെയ്തുകൊടുക്കേണ്ടതു അത്യാവശ്യമാണ്. എന്നാൽ ആഡംബരത്തിനുവേണ്ടി അനാവശ്യമായി ചെലവുചെയ്ത കടം വരുത്തിയവരേയും, മക്കളേയോ മറ്റു ബന്ധുക്കളേയോ ശീമയിലോ മറ്റു സ്ഥലങ്ങളിലോ അയച്ച് ഉന്നതവിദ്യാഭ്യാസം ചെയ്യിക്കുന്നതുനിമിത്തം കടം വന്നുചേരുന്നവരേയും, കൊലപാതകം മുതലായ കേസുകളിൽ ഉൾപ്പെട്ട് വസ്തുക്കൾ എഴുതിക്കൊടുത്തു കടംവാങ്ങി കേസുനടത്തുന്നവരേയും കൃഷിക്കാരുടെ പരിധിയിൽ ഉൾപ്പെടുത്തുന്നതായാൽ അതിനു യാതൊരു അവസാനവും ഉണ്ടാകുന്നതല്ല.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): കൃഷിക്കാരായ ആളുകൾക്ക് കൃഷിയിൽനിന്നും കിട്ടുന്ന ആദായം അല്ലാതെ മറ്റെന്തെങ്കിലും ആദായമുണ്ടോ?

MR. K. P. KRISHNA MENON (*Parur*): കൃഷിയിൽനിന്നും കിട്ടുന്ന ആദായത്തിൽ കവിഞ്ഞു് ചെലവുവരുന്ന ഉന്നതവിദ്യാഭ്യാസം വേണ്ടെന്നുവയ്ക്കണം.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): കൃഷിക്കാരുടെ കുട്ടികളെ വിദ്യാഭ്യാസം ചെയ്യിക്കേണ്ട എന്നാണോ അഭിപ്രായം?

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MR. K. P. KRISHNA MENON (*Parur*) : എന്നഭിപ്രായമില്ല. അവർ സാധാരണവിദ്യാഭ്യാസം ചെയ്താൽമതി. വസ്തുക്കളെ എഴുതിക്കൊടുത്തു കടം വാങ്ങിച്ചു് ഉന്നതവിദ്യാഭ്യാസത്തിനായി അയക്കേണ്ട ആവശ്യമില്ലെന്നേ പറയുന്നുള്ളൂ. അങ്ങിനെ ചെയ്യുന്നതിനു മറുള്ളവരുംകൂടി ബാദ്ധ്യതക്കാരാകണമെന്നു പറയുന്നതു ന്യായമല്ല.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): .വസ്തുക്കൾക്കു് അതുയും പണം വിലപിടിപ്പുള്ളതുകൊണ്ടല്ലേ പണം കടം കൊടുക്കുന്നതു്?

MR. K. P. KRISHNA MENON (*Parur*): വസ്തു വാങ്ങിച്ചതുകൊണ്ടു തൃപ്തിപ്പെട്ടുകൊള്ളണം.

കൃഷിക്കാരല്ലാതെ വാണിജ്യം, വ്യവസായം, എന്നിവകളിൽ ഏർപ്പെട്ടു കടം വന്നിട്ടുള്ളവരും കൃഷിക്കാരുടെ പരിധിയിൽ ഉൾപ്പെടുന്നതിനു് ഈ റിപ്പോർട്ടുകൊണ്ടു യാതൊരു വിഷമവും കാണുന്നില്ല. റബ്ബർകൃഷിചെയ്തു ധാരാളം പണം ഉണ്ടാക്കി കൂടുതൽ ആദായം വർദ്ധിപ്പിക്കുന്നതിനു വസ്തു വാങ്ങിയതുനിമിത്തം കടം ഉണ്ടായിട്ടുള്ളവരേയും കർഷകന്റെ പരിധിയിൽ ഉൾപ്പെടുത്താൻ പാടില്ല. അങ്ങിനെ ചെയ്യുന്നുവെങ്കിൽ അന്യരാജ്യങ്ങളിൽനിന്നും ഇവിടെവന്നു വ്യവസായം നടത്തുന്ന യൂറോപ്യൻകമ്പനിക്കാരും മറു കമ്പനിക്കാരും ഈ സൌജന്യം ആവശ്യപ്പെടുകയും അതനുസരിച്ചു ഗവണ്മെൻറിനു കൊടുക്കാതിരിക്കാൻ സാധിക്കാതെ വരുന്നതുമാണു്.

MR. N. E. VARUGHESE (*Tiruvalla II*): റബ്ബർകൃഷി നടത്തുന്നതുകൊണ്ടു് അനേകായിരം കൂലിവേലക്കാർ ഉപജീവനം കഴിച്ചുവരുന്നു എന്നറിയാമോ?

DEPUTY PRESIDENT: We have no time now for such questions.

MR. K. R. ELENKATH (*Kalkulam I*): അന്യനാട്ടുകാർ ഇവിടെ പണം മുടക്കിയിട്ടില്ലേ?

DEPUTY PRESIDENT : The member has misconceived Mr. Krishna Menon's point altogether.

You may go on, Mr. Krishna Menon.

MR. K. P. KRISNNA MENON (*Parur*): റബ്ബർവ്യവസായംകൊണ്ടും മറു വ്യവസായങ്ങൾകൊണ്ടും കടം വന്നിട്ടുള്ളവരും കൃഷിക്കാരുടെ പരിധിയിൽ ഉൾപ്പെടുന്നതാണു്. ഈവിധത്തിൽ ഉദ്യോഗസ്ഥന്മാരും അനുദ്യോഗസ്ഥന്മാരും വ്യാപാരികളും വ്യവസായികളും എല്ലാം കർഷകന്റെ പരിധിയിൽ ഉൾപ്പെടുമെന്നുള്ള വിധത്തിലാണു് റിപ്പോർട്ടിൽ പറഞ്ഞിരിക്കുന്നതു്. കൃഷിനഷ്ടവും സാമാനങ്ങളുടെ വിലക്കുറവും നിമിത്തമുണ്ടായിട്ടുള്ള യഥാർത്ഥകർഷകന്റെ കടത്തിനാണു പരിഹാരം ഉണ്ടാക്കി

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[Mr. K. P. Krishna Menon.]

കൊടുക്കേണ്ടതു്. മറുവിധത്തിൽ വന്നിട്ടുള്ള കടത്തെ കർഷകന്റെകടത്തിന്റെ പരിധിയിൽ ഉൾപ്പെടുത്താൻ പാടില്ല

ഇതേരീതിയിൽ പാസാക്കിയാൽ രാജ്യത്തു ക്ഷേമത്തിനു പകരം ക്ഷാമം വർദ്ധിക്കും. മിസ്റ്റർ താണുപിള്ള പറഞ്ഞതുപോലെ ആണ്ടു ഒന്നുക്കു് ആയിരം രൂപായിൽ കൂടുതൽ ആദായം ഉള്ള കൃഷിക്കാരെ ഈ റിപ്പോർട്ടിന്റെ പരിധിയിൽ ഉൾപ്പെടുത്താൻ പാടില്ല.

ഒറ്റിവസ്തുക്കളെപ്പറ്റി റിപ്പോർട്ടിൽ പറഞ്ഞിട്ടുള്ള ഭാഗം അംഗീകരിക്കത്തക്കതല്ല.

മേലാൽ ഉള്ള പലിശയെ നിയന്ത്രിക്കുന്നതുകൂടാതെ കീഴ്ക്കടകരാറിനെ ലംഘിച്ചു ചട്ടം ഉണ്ടാക്കുന്നതു നിയമദൃഷ്ട്യാ നീതീകരിക്കത്തക്കതല്ല. തൽനിമിത്തം രാജ്യത്തു പണം ഇടപാടിൽ അവിശ്വാസം ജനിക്കും. അതു ഭാവിജീവിതത്തിനു തടസ്ഥമായും തീരും.

MR. K. P. KRISHNA MENON (*Parur*): I have not had even five minutes Sir.

DEPUTY PRESIDENT: The House has agreed to leave the distribution of the time available to my discretion, and I am doing it as best I can considering the number of members that have yet to speak on this important subject.

MR. N. JOHN JOSEPH (*Nominated*): സർ, ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന ഭേദഗതിയെ ഞാൻ അനുകൂലിക്കുന്നു. പത്തുലക്ഷത്തോളം വരുന്ന ഈ നാട്ടിലേ അധികൃതർ ഇവിടത്തെ കൃഷിക്കാരെ ആശ്രയിച്ചാണു കാലയാപനം ചെയ്യുവരുന്നതു്. അവരുടെ നന്മയെ ആസ്പദമാക്കിക്കൊണ്ടു വന്നിരിക്കുന്ന ഒരു ബിൽ എത്രയും വേഗത്തിൽ പാസാക്കി അവരുടെ സങ്കടത്തിനു പരിഹാരം ഉണ്ടാക്കേണ്ടതു് അത്യാവശ്യമാണു്. ഉല്പന്നങ്ങൾ ഉണ്ടാക്കിത്തരുന്ന ഈ കൃലിവേലക്കാരെ നന്നാക്കാത്തകാലത്തോളം അവക്കു് ഒരു ഗതിയും ഉണ്ടാകുന്നതല്ല. ഫ ഫ ൦ ൫ മുതൽ ഉല്പന്നങ്ങളുടെ വില കുറഞ്ഞുവരികയാണു ചെയ്യുന്നതു്. ഉല്പന്നങ്ങൾക്കു വിലയില്ലാത്തതുകൊണ്ടു കൃഷിക്കാർ കൃലിവേലക്കാരെക്കൊണ്ടു ജോലിചെയ്യിക്കാതായിതീരുകയും തൽനിമിത്തം ഉപജീവനം കഴിക്കാൻ നിവൃത്തിയില്ലാതെ അനേകായിരം ജനങ്ങൾ പട്ടിണിക്കു് ഇരയാവുകയും ചെയ്യുവരുന്നുണ്ടു്. അതുനിമിത്തം സംഖ്യാതീതങ്ങളായ മരണങ്ങളും സംഭവിച്ചിട്ടുണ്ടു്. കാഞ്ഞിരപ്പള്ളി, പീരുമേടു മുതലായ സ്ഥലങ്ങളിലുള്ള കൃലിവേലക്കാർ യാതൊരു ഉപജീവനമാർഗ്ഗവുമില്ലാതെ വളരെ കഷ്ടപ്പെടുന്നുണ്ടു്. കർഷ

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കരെ ഞെരുക്കിച്ചു് ഈ നാട്ടിന്റെ നാനാഭാഗങ്ങളിലും താമസിക്കുന്ന ഉത്തമസന്മക്കളായ അധ്വാനികളുടെ കാര്യം പ്രത്യേകം പരിഗണിച്ചു ഈ റിപ്പോർട്ടിനെ ഒട്ടും താമസിക്കാതെ പാസാക്കണമെന്നു ഗവണ്മെന്റിനെ ഉത്ബോധിപ്പിച്ചുകൊള്ളുന്നു.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, the Debt Redemption Committee was confronted with one of the most intricate and burning problems of the day. A careful perusal of the Report will convince any one that they have investigated the question in all its aspects and formulated certain schemes and suggestions which are practicable under the present circumstances.

Sir, it is the duty of Government to formulate final proposals upon the report on the basis and in the light of the discussion in this House, with the least possible delay. The satisfactory working of the redemption scheme, as proposed by the Committee, depends to a large extent upon the constitution of the Conciliation Boards. I have my own doubts, as has been expressed by several members who preceded me, in regard to it. If, however, the boards are to be constituted, I would like to make a few suggestions on certain details which may be profitably considered at the time of working up the proposals contained in this report. I am of opinion that some of the proposals will cause considerable hardship to the poor agriculturists, as most of them are so illiterate and ignorant of the provisions regarding conciliation that they will be terribly exploited. The provision that in any proceedings before a Board any party may be represented by an agent authorised in writing or by a legal practitioner is one tending to create trouble to the agriculturist. A party should either appear in person or he may be allowed to be represented by a legal practitioner. The agent authorised in writing is always a dangerous person who will only be waiting for an opportunity to exploit the poor debtor, and hence that provision should be deleted. Either they should appear in person or they should be represented by a legal practitioner. There is another reason for my making this suggestion. The constitution of these Debt Conciliation Boards will certainly affect the vakils to a considerable extent. If the boards are established, naturally a number of cases will go out of the files of the civil courts and will have to be settled by these bodies. In such case, the vakils should not be allowed to suffer. That is also a point which deserves consideration.

Another point I would like to mention is with regard to the distinction made between secured and unsecured debts. In the case of the former, the interest has been proposed to be reduced to 6 per cent. while in the case of the unsecured debts it has been proposed to be 9 per cent. That distinction will also cause considerable hardship to a large number of debtors. It is the poor people who require relief and they will be mostly landless people. So I would strongly advocate that the interest should be uniformly reduced without any distinction between secured and unsecured debts. I would just urge upon the Government to draft a Bill with the least possible delay and submit it to this House, so that the whole question may be settled at the earliest possible moment.

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MR. S. J. NAIR (*Nedumangad*): Sir, I move the following amendment.

MR. R SAMBASIVA AIYAR (*Kunnatnad II*): Sir, I rise to a point of order. Can the member now move an amendment?

DEPUTY PRESIDENT: At this late stage, I think no amendment need be moved. The understanding was that members who wanted to move amendments would do so at the time they were speaking. Mr. S. J. Nair has already spoken. Is there any other member who wants to speak?

MR. S. J. NAIR (*Nedumangad*): May I explain?

DEPUTY PRESIDENT: My ruling is final. It is in the light of what has happened I give it.

MR. S. J. NAIR (*Nedumangad*): I wish to say a word by way of personal explanation.

DEPUTY PRESIDENT: No explanation please.

MR. A. EASWARA PILLAI (*Kottarakara*): Sir, I am in agreement with most of the recommendations made by the Commitee. I think the Committee has sufficiently grappled with the problem of agricultural indebtedness in the State. But I dissent in some aspects of their recommendations. I am opposed to the constitution of Debt Conciliation Boards in the State. But my reason it is not the same as that advanced by some honourable members of this House, *viz.*, paucity of the right sort of men in the country to serve on the conciliation boards. Sir, it is an aspersion on the citizens of this country and I do not quite agree with those people. But my objection is that the board, as proposed to be constituted by the Committee, will, not work properly on account of its inherent weakness. The boards as proposed will be able to conciliate only in cases which are voluntary and their decision will have very little effect otherwise. For these reasons, I object to the constitution of the conciliation boards.

Another thing that I wish to bring to the notice of this House is that no invidious distinction need be made in the case of bankers. Of course, I am not unaware of the fact that the proposed recommendations may prejudicially affect their interests. But they must be prepared to make some concessions to the ryot. The ryot is a Travancorean and his happiness is conducive to the progress of the country. I am also opposed to giving retrospective effect to the reduction in the rate of interest and I am willing to reduce the interest to 6 per cent.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): വിഷമകരവും പ്രയാസമേറിയതുമായ ഒരു പ്രശ്നത്തെ സംബന്ധിച്ച് ഇത്ര വിജയകരമായവിധത്തിൽ ഒരു റിപ്പോർട്ട് തയ്യാറാക്കിയ കമ്മിറ്റി അംഗങ്ങളെ ഞാൻ ആദ്യമായി അഭിനന്ദിച്ചുകൊള്ളുന്നു. ബാങ്കുകാക്കും കർഷകക്കും ഉള്ള കടത്തിന്റെ പലിശക്രമത്തിൽ വിത്യാസം വരുത്താൻ പാടില്ലാ എന്നുള്ള മി. പുതുപ്പള്ളികൃഷ്ണപിള്ളയുടെ അഭിപ്രായത്തോട് ഞാൻ യോജിക്കുന്നു. കൺസിലിയേഷൻബോർഡ് ശരിയായി നടക്ക

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ന്നതല്ലെന്നുള്ള മി. താണുപിള്ളയുടെ അഭിപ്രായത്തോടും ഞാൻ യോ ജിക്കുന്നു. കർഷകൻ എന്ന പദത്തിനു കൊടുത്തിരിക്കുന്ന വ്യാഖ്യാനത്തി ന്റെ പരിധിയിൽ എല്ലാവരേയും ചേർത്തുകൂടാ എന്നുപറയുന്ന മി. കെ. പി. കൃഷ്ണമേനവന്റെ അഭിപ്രായത്തോടു ഞാൻ യോജിക്കുന്നില്ല. ഒരു ഇഞ്ചുഭൂമിയെങ്കിലും കൈവശം വച്ചുകൊണ്ടിരിക്കുന്ന ആളെ കർഷ കന്റെ പരിധിയിൽതന്നെ ഉൾപ്പെടുത്തേണ്ടതാണ്. കർഷകന്റെ ക ടത്തിനു സൌജന്യംചെയ്തുകൊടുക്കണമെന്നുള്ളതാണ് ഈ റിപ്പോർട്ടിന്റെ ഉദ്ദേശം. കർഷകവൃത്തിയെമാത്രം അവലംബിക്കാതെ ഭൂമി കൈവശം വച്ചുകൊണ്ടിരിക്കുന്നവർ ധാരാളമുണ്ട്. അവരുടെ കടം കൊടുത്തുതീ ക്കുന്നത് കർഷകനിൽനിന്നും കിട്ടാനുള്ള കടം കിട്ടിയിട്ടുവേണം. അ തുകൊണ്ടു അവരേയും കർഷകന്റെ പരിധിയിൽക്കൂടി ചേർക്കാതിരുന്നാ ൽ അതുനിമിത്തം പല ഉപദ്രവങ്ങൾക്കും കാരണമാകുന്നതാണ്. അ ങ്ങിനെ വരാതിരിക്കത്തക്കവണ്ണം പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതാണ്.

ബാങ്കു്, പരസ്പരസഹായസംഘം, ഗവണ്മെൻറ് എന്നീ സ്ഥാപ നങ്ങൾക്കു കിട്ടാനുള്ള കടങ്ങളെ റിപ്പോർട്ടിന്റെ പരിധിയിൽനിന്നും ഒഴിവാക്കിയിരിക്കുന്നു. ഈ സ്ഥാപനങ്ങളിലുള്ള കടം തീർന്നാൽ കർഷ കന്റെ ഉപദ്രവവും തീരുന്നതാണ്. അതുകൊണ്ടു അവയേയുംകൂടി റി പ്പോർട്ടിന്റെ പരിധിയിൽ ഉൾപ്പെടുത്തേണ്ടതാണ്.

MR. V. RAMAKRISHNA PANIKKAR (*Kartikapalli II*): Sir, I support the original motion and also the recommendations of the Committee generally. But I beg to make certain observations which are at variance with some of the recommendations in the Report.

First of all, I have to refer to the definition of the agriculturists as given in the report. The definition is very narrow in my humble opinion and it should be made comprehensive enough to include every land-owner. Every land-owner who has agricultural debts should be considered an agriculturist for the purpose of debt redemption.

Another point which I have to refer to is that the rate of interest proposed by the Committee, namely, 4 per cent. This is too low. Of course, a low rate of interest may be awarded in special and suitable cases; but the maximum should be 6 per cent.

With regard to the prevention of expropriation of the agriculturists, I have to submit that the time that should be given for payment of debts, when properties are advertised for sale by courts of law, should not be more than 10 years. Now, what the Committee suggest is 24 years. It is a very long period, almost half the life-time of a person. The persons who have lent money should be enabled to recover their money at least during their life-time. So ten years, it seems to me, would be quite sufficient, and the debtors may be asked to pay up the amount within 10 years in instalments.

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[Mr. V. Ramakrishna Panickar,]

Of course, I have to make certain other observations also, but, the time being very limited, I shall refer to one mistake that is contained in the report. The Committee has committed a very glaring mistake with regard to the map of Kuttanad. Of course, that affects injuriously the Punja agriculturists of the Kartikapalli taluk. Every student of Travancore geography knows that the Pamba river meets the Kulakada river at Veeyapuram. But here in the Report the Pamba river does not come to Veeyapuram but goes direct to Champakulam. This river at its confluence with the Kulakada river branches itself into two and empties into the waters of the Vembanad lake. Around this river there are *punja* fields. These *punja* fields also should form part of Kuttanad. Since those portions are not included in this map, it greatly affects the northern *pakuthies* of Kartikapalli, that is, Allappad, Kizhakkekara, Veeyapuram and Cheruthana and Karuvatta. So, that mistake must be rectified. The concession regarding the new *punja* loan may be extended to the agriculturists of the said *pakuthies*

DEPUTY PRESIDENT: Before I put the amendments to vote, I wish to speak a few words.

There has been some agreement with regard to the methods suggested by the Committee. That something should be done has been accepted by all. The amendments moved by Mr. Kunjukrishna Pillai, Mr. Velayudhan Pillai and Mr. Puthupally Krishna Pillai, have supplemented that view.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I have also sent in 17 amendments. I said, in my speech, that my observations covered my amendment as well as the Report.

DEPUTY PRESIDENT: It is not recorded in the proceedings that you have moved your amendments. So that, while the House is very much obliged to the member for his view, the amendments, as amendments, cannot be considered. I have also got an authorised version of the amendments placed in my hands by the Secretary who has been following the whole discussion; and I presume that, when an amendment has been formally moved, it must find a place in the Secretary's notes. I shall place before the House only such amendments as are recorded in the notes.

There are certain points which I wish to press upon the attention of the House. Unless the Legislature and the Government move in the matter, agricultural indebtedness will only increase. In removing the evil, we should not create more evils. The institution of property is a sacred institution. The solemnity of contract is equally sacred. But society requires changes. When, but for the change, civilization would be impossible, when economic difficulties of a serious nature are hampering the progress of the country, it is quite proper for the Legislature and the Government to step in and remove inequalities which make life intolerable at this time of economic depression. It has been said that contracts should not be disturbed. I want just to mention that individualism has had its day. The House will permit me to read one sentence. I will not quote at length.

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"Individualism is well and good up to a certain limit. It has had its day. It has had its approval and obedience from statesmen and thinkers. But the history of the teaching of the various economists, like Adam Smith and Ricardo, of great thinkers like Bentham and Mill, the latter-day opinion of that intractable free-trader, Richard Cobden, and the subdued admissions of that great judicial exponent of the cult of individualism, Baron Bramwell—all these show that individualism and competition, although excellent in themselves, are not always advantageous to the progress of society. It is in the interests of society that private property is allowed by the State. Therefore, when the interests of society call for a change, when it is proved that certain beneficial measures are necessary, the State should not shirk its responsibility, but must come forward and face the situation with courage."

RAO SAHIB S. PARAMESWARA AIYAR (*Nominated*): May I request the Chair to say from what book it is?

DEPUTY PRESIDENT: I am reading from a speech made by Mr. T. K. Velu Pillai in the old Council.

I may also mention that, when you have got laws regulating buildings in cities, for the maximum period for copyright and patents, for quarantine, for compulsory education, and, above all, for conscription, which enable the State to seize all able-bodied citizens and send them to the battle-front-when you have got these precedents, both in the East and the West—when in Travancore you have got Rubber stealing, Coffee stealing and Chitties Regulations, which are so many inroads on contracts—it is certainly understandable that an attempt is being made to rectify the errors of economic eccentricity at this time of depression. But, at the same time, only such things can be done as can be justified by what the progress of society requires.

I do not propose to express any opinion on the different parts of the amendments. The House, I find, is agreed that something should be done immediately. And there must be something like unity of opinion on important matters.

I will now put the amendments to the vote of the House.

The first amendment is as follows:

"That, after the words 'taken into consideration' the following be added:
and that in doing so this Assembly records its opinion:
(i) that the definitions of the words 'agriculturist' and 'agricultural debts' given in the Report of the Agricultural Debt Redemption Committee be accepted'".

The amendment was carried.

MR. S. J. NAIR (*Nedumangad*): I demand a poll.

A poll was taken with the following result:

AYES—31.

1 Mr. K. C. Abraham	13 Mr. K. Padmanabhan
2 „ N. Abdur Rahiman Sahib	14 „ R. Raman Pillai
3 „ V. T. Chacko	15 „ K. Mahomed
4 „ M. Mahomed Haneef	16 „ K. M. Kuriakose
5 Srimati T. Narayani Amma	17 „ K. Madhavan
6 Mr. K. R. Elenkath	18 „ P. Chidambaram Pillai
7 „ Antony George	19 „ K. Kunjukrishna Pillai
8 „ E. K. Kunjuraman	20 „ A. S. Damodaran Asan
9 „ T. Krishna Pillai	21 „ Puthupalli S. Krishna Pillai
10 „ T. C. Joseph	22 „ Pacode A. Narayana Pillai
11 „ N. E. Varughese	23 „ A. Easwara Pillai (*Kottarakara*)
12 „ S. Thiraviam Nadar	

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24 Mr. R. Sivaraman Nair
25 ,, Edavanatt S. Padmanabha Menon
26 ,, Pottayil S. Krishna Panickar
27 ,, K. A. Narayana Pillai
28 Mr. Kainikkara M. Padmanabha Pillai
29 ,, M. K. Madhavan Pillai
30 ,, T. P. Velayudhan Pillai
31 ,, R. Sambasiva Aiyar

NOES—15.

1 Mr. P. K Narayana Pillai
2 Rao Sahib S. Parameswara Aiyar
3 Mr. S. J. Nair
4 ,, P. C. Kurien
5 ,, S. Nilakanta Pillai
6 ,, Changanacherry K. Parameswaran Pillai
7 ,, S. Chattanatha Karayalar
8 ,, T. S. Jayantan Namputiri
9 Mr. N. John Joseph
10 ,, K. P. Krisna Menon
11 ,, P. C. Narayanan Bhattatiripad
12 ,, V. Ramakrishna Panickar
13 ,, K. Sankaran
14 ,, N. K. Krishna Pillai
15 ,, A. Easwara Pillai (*Kalkulam II*)

NEUTRALS—9.

1 Mr. T. C. Thommen
2 ,, R. Nilakanta Pillai
3 ,, G. B. E. Truscott
4 ,, Kayalam Parameswaran Pillai
5 Mr. M. Govinda Pillai
6 ,, C. O. Madhavan
7 ,, M. Sivatanu Pillai
8 ,, Menatheri N. Kesava Panickar
9 ,, T. T. Kesavan Sastri

The motion was carried.

DEPUTY PRESIDENT: The next amendment runs as follows:

"(ii) that the creation of Debt Conciliation Boards for bringing about a composition of the debts of the agriculturists is absolutely necessary, and that the legislation towards that end be undertaken by Government without delay."

The amendment was put and negatived.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

AYES—20.

1 Mr. P. Chidambaram Pillai
2 ,, K. Kunjukrishna Pillai
3 ,, A. S. Damodaran Asan
4 ,, Puthupally S. Krishna Pillai
5 ,, Pacode A. Narayana Pillai
6 ,, R. Sivaraman Nair
7 ,, Kainikkara M. Padmanabha Pillai
8 ,, Pottayil S. Krishna Panickar
9 ,, Edavanatt S. Padmanabha Menon
10 Mr. K. A. Narayana Pillai
11 ,, N. K. Krishna Pillai
12 ,, A. Easwara Pillai (*Kalkulam II*)
13 Srimati T. Narayani Amma
14 Mr. S. J. Nair
15 ,, M. Mahomed Haneef
16 ,, E. K. Kunjuraman
17 ,, T. Krishna Pillai
18 ,, K. M. Kuriakose
19 ,, K. Mahomed
20 ,, N. E. Varughese

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NOES—23.

1 Mr. P. K. Narayana Pillai	13 Mr. T. T. Kesavan Sastri
2 ,, K. C. Abraham	14 ,, K. P. Krishna Menon
3 ,, N. Abdur Rahiman Sahib	15 ,, P. C. Narayanan Bhattatiripad
4 ,, V. T. Chacko	16 ,, K. Madhavan
5 Rao Shaib S. Paramesvara Aiyar	17 ,, K. Sankaran
6 Mr. A. Thanu Pillai	18 ,, K. Padmanabhan
7 ,, Antony George	19 ,, R. Sambasiva Aiyer
8 ,, Menatheri N. Kesava Panickar	20 ,, S. Tiraviam Nadar
9 ,, Changanachery K. Paramesvaran Pillai	21 ,, A. Easwara Pillai (*Kottarakara*)
10 ,, T. S. Jayantan Namputiri	22 ,, M. K. Madhavan Pillai
11 ,, S. Chattanatha Karayalar	23 ,, M. Sivatanu Pillai
12 ,, N. John Joseph	

NEUTRALS—8.

1 Mr T. C. Thommen C.I.	5 Mr. M. Govinda Pillai
2 ,, R. Nilakanta Pillai	6 ,, Kayalam Paramesvaran Pillai
3 ,, G. B. E. Truscott	7 ,, V. Ramakrishna Panickar
4 ,, C. O. Madhavan	8 ,, R. Raman Pillai

The motion was declared lost.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*); Mr. Varughese did not stand up from his chair at the time of voting. So his vote is not valid.

DEPUTY PRESIDENT: Will you please point out the Rule asking him to vote from his seat?

Rules Nos. 56 and 57 refer to the order of the seat of members and to the rising in seat *while speaking*. Is there any other Rule, Mr. Sambasiva Aiyar, on which you rely?

MR. A. THANU PILLAI (*Trivandrum-Rural*) May I draw the attention of the Chair to Rule 56 and 57 of the Assembly Manual?

DEPUTY PRESIDENT: From that, I presume, Mr. Sambasiva Iyer's view is not supported by that authority.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Rule 17, page 99, says that the members shall sit in such order as the President may appoint

DEPUTY PRESIDENT: Apart from that fact Mr. Sambasiva Aiyar or anybody who thinks like him might well know, there is this elementary rule that voting is different from speaking. A member's vote is valuable and unless a member is prevented from exercising any of the privileges of the House by any misbehaviour of a serious character, he can vote. Therefore, I am not for ruling out Mr. Varughese's vote.

I remember an elementary rule which I have not time to find out and read. When we are at this question, in the House of Commons although members sit in a certain order and speak in a certain order, at the

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[Deputy President.]

time of division, they go to another place. So, it is not from the place where they sit that people give their vote. However, I declare Mr. Varughese' vote as a valid vote.

The result of the voting is as follows —
Ayes 20 Noes 23 Neutrals 8.
The amendment is lost.

DEPUTY PRESIDENT: Then the question before the House is, amendment No. (iii),

"that substantial reduction should be made in the rates of interest on agricultural debts applicable to the period of depression".

The amendment was put to vote and carried.

DEPUTY PRESIDENT: The next amendment is as follows,

"that, in the prevailing circumstances, the debtor should be given the facilities to pay his debts in instalments and that the courts should be empowered to order the payment of decree amount in instalments spread over a period not exceeding twenty years".

The amendment was put to vote and carried.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*). Sir, I demand a Poll. A poll was taken with the following result.

AYES—34.

1	Mr. V. T. Chacko	18	Mr. K. M. Kuriakose
2	„ P. Chidambaram Pillai	19	„ K. Madhavan
3	„ A. S. Damodaran Asan.	20	„ M. K. Madhavan Pillai
4	„ A. Easwara Pillai (*Kalkulam II*)	21	„ K. Mahomed
5	„ A. Easwara Pillai (*Kottarakara*)	22	„ K. A. Narayana Pillai
6	„ K. R. Elenkath	23	„ Pacode A. Narayana Pillai
7	„ Antony George	24	Srimati T. Narayani Amma
8	„ M. Mahomed Haneef	25	Mr. G. Nilakantan
9	„ S. J. Nair	26	„ Edavanatt S. Padmanabha Menon
10	„ T. C. Joseph	27	„ Kainikkara M. Padmanabha Pillai
11	„ Menatheri N. Kesava Panickar	28	„ Changanachery K. Parameswaran Pillai
12	„ Pottayil S. Krishna Panickar	29	„ R. Raman Pillai
13	„ N. K. Krishna Pillai	30	„ R. Sivaraman Nair
14	„ Puthupalli S. Krishna Pillai	31	„ A. Thanu Pillai
15	„ T. Krishna Pillai	32	„ S. Thiraviam Nadar
16	„ K. Kunjukrishna Pillai	33	„ N. E. Varughese
17	„ E. K. Kunjuraman	34	„ T. P. Velayudhan Pillai

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NOES—10.

1 Mr. N. Abdur Rahiman Sahib	6 Mr. P. K. Narayana Pillai
2 ,, S. Chattanatha Karayalar	7 ,, S Nilakanta Pillai
3 ,, T. S. Jayantan Namboo-tiri	8 Rao Sahib S. Parameswara Aiyar
4 ,, K. P. Krishna Menon	9 Mr. R. Sambasiva Aiyar
5 ,, P. C. Narayanan Bhatta-tiripad	10 ,, K. Sankaran

NEUTRALS—13.

1 Mr. K. C. Abraham	8 Mr. R. Nilakanta Pillai
2 ,, T. K. Alexander	9 ,, K. Padmanabhan
3 ,, M. Govinda Pillai	10 ,, Kayalam Parameswaran Pillai
4 ,, N. John Joseph	
5 ,, T. T. Kesavan Sastri	11 ,, V. Ramakrishna Panickar
6 ,, P. C. Kurian	12 ,, T. C. Thommen
7 ,, C. O. Madhavan	13 ,, G. B. E. Truscott

DEPUTY PRESIDENT: I am constrained to observe that the members, one and all should respect certain rules of ordinary behaviour in a legislative Assembly. Those who voted 'for' or 'against' a proposition will oblige the House by remaining in it when the poll is taken. [Mr. K. Kunjukrishna Pillai: *Hear, hear.*] When a poll is demanded, if a member walks out it will baffle all calculation and be setting a premium on certain happenings of an unpleasant character. I do not want to mention the name of the particular member who was here at the time when the vote was taken, but is now not here. I am more interested in creating a healthy tradition rather than in finding fault with any individual member.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I point out that such a conduct is considered as most discourteous to the dignity of the House?

DEPUTY PRESIDENT: That is why I was constrained to make that observation.

MR. K. PADMANABHAN (*Chirayinkil I*): May I point out that one honourable member left the House after the poll was taken?

DEPUTY PRESIDENT: Even then, till the result is announced, one has to be in his seat. Otherwise it will lead to difficulties in the matter of counting.

MR. K. PADMANABHAN (*Chirayinkil I*): But then, Sir, the counting was over.

DEPUTY PRESIDENT: I said definitely, until the result is declared. Not that Mr. Padmanabhan will be quite satisfied that I did not want to mention the name of the member who left the Hall. It struck me that a member left the Hall. Let the matter end there.

The result of the Voting is as follows:

Ayes—34.
Noes—10.
Neutrals—13.

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[Deputy President.]

The amendment is carried.

Let me now mention one thing. At any rate hereafter when a division is taken, until the result is announced, whether there is a poll or not, members will please remain in their places in the House.

Then the next amendment is as follows —

"that the suggestions for the development of the Land Mortgage Bank made in the Report must be accepted".

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): There is an amendment of Mr. Puthupalli Krishna Pillai to this which has been admitted by the Chair. I have also accepted that amendment. So my amendment stands modified. These two may be put as one.

DEPUTY PRESIDENT: The amendment is this :—

"Add the following to amendment No. 1 proposed by Mr. K. Kunjukrishna Pillai to the original motion that the Report of the Agricultural Debt Redemption Committee be taken for consideration :—

"Provided—

That until the Land Mortgage Bank is reorganised as recommended by the A. D. R. Committee—

(*a*) the present maximum of Rupees five thousand be not altered ;

(*b*) that debenture be not issued ;

(*c*) that the proposal for selling the secured land for defaulted instalments with the liability that the lands in the hands of the purchaser be liable for the future instalments as they fall due be not accepted ;

(*d*) that no inducement be afforded, before or after the recommended legislation that the land mortgage bank or Government will be prepared to advance money to the debts composed by conciliation."

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I suggest that the original clause be voted upon ?

DEPUTY PRESIDENT: But the amendment has been accepted by the mover.

MR. K. R. ELENKATH (*Kalkulam I*): But the House has not accepted it.

MR. A. THANU PILLAI (*Trivandrum-Rural*): What I beg to submit is this. Mr. Kunjukrishna Pillai's point is that the suggestions for the development of the Bank made in the report be accepted. That does not depend upon the further additions proposed by Mr. Puthupalli's amendment. That is a matter standing by itself. If the clauses (i) to (iv) could have been voted upon without considering Mr. Krishna Pillai's amendment, this clause (v) could also be considered.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Mr. Puthupalli Krishna Pillai's amendment relates to the reorganisation of the Land Mortgage Bank and I accept these suggestions. In such reorganisation, the amount of Rs. 5,000 should not be exceeded. In other words, there must be certain restrictions with regard to reorganisation. I accept those restrictions. That is vital. So my amendment No. (v) is subject to the reservations contained in the amendment of Mr. Krishna Pillai.

MR. M. SIVATANU PILLAI (*Tovala*): When Mr. Krishna Pillai was speaking this morning, the Chair observed that this amendment be considered. So then there is a ruling from the Chair regarding this amendment and it is to be considered as accepted.

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MR. S. J. NAIR (*Nedumangad*) : On a point of order.

DEPUTY PRESIDENT : No point of order arises when the President is on his legs. I was not here at the time when the amendment was accepted as suggested by Mr. Kunjukrishna Pillai. But the Secretary and the Law Member assures me that what Mr. Kunjukrishna Pillai has stated is correct.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not agree there. No doubt Mr. Kunjukrishna Pillai has brought forward an amendment and Mr. Puthupalli Krishna Pillai has amended that by making some further amendments to which Mr. Kunjukrishna Pillai is agreeable. It is for the House to accept such a view. It is for the House to allow it.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : The amendment is not for No. 5. It is for No. 1.

DEPUTY PRESIDENT : I may tell the House that I made the statement on the strength of the information supplied to me and that was supplied in perfect good faith. But if there is any mistake that may be rectified. So what is the position, Mr. Kayalam Parameswaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The amendment of Mr. Kunjukrishna Pillai must be put to vote first. If that is accepted, then Mr. Puthupalli's amendment may be put to vote.

MR. M. SIVATANU PILLAI (*Tovala*) : Mr. Kunjukrishna Pillai moved an amendment. Subsequently Mr. Puthupalli Krishna Pillai moved an amendment to Mr. Kunjukrishna Pillai's amendment. The Chair ruled Mr. Puthupalli's amendment was in order.

DEPUTY PRESIDENT : It would be enough if the House declares that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : But the House has to accept it.

MR. M. SIVATANU PILLAI (*Tovala*) : When Mr. Kunjukrishna Pillai's amendment was before the House and when Mr. Puthupalli Krishna Pillai's amendment was permitted to be moved, the original amendment is deemed to have been withdrawn. That is the position.

MR. P. C. KURIAN (*Kottayam II*) : Mr. Kunjukrishna Pillai has moved a certain amendment and Mr. Puthupalli Krishna Pillai has moved an amendment to that amendment and Mr. Kunjukrishna Pillai has accepted that amendment. Certain provisions of the amendment are proposed by Mr. Kunjukrishna Pillai. I doubt whether the votes are valid or not.

DEPUTY PRESIDENT : There is time to consider that. I am now trying to ascertain the facts as they happened. Mr. Kayalam Parameswaran Pillai says that the amendment was moved by Mr. Puthupalli Krishna Pillai and that Mr. Kunjukrishna Pillai accepted it is only a

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[Deputy President.]

personal acceptance. Mr. Kayalam Paramesvaran Pillai also says that the House has not expressed its opinion on the acceptability of that amendment. So that according to him the course to be followed is to put Mr. Puthupalli Krishna Pillai's amendment to the House first and after it is disposed of to put Mr. Kunjukrishna Pillai's amendment to the House. Apart from the difference of opinion as to what has happened the statement made by the Law Member may be accepted as conclusive in these matters I certainly do not mean any reflection on any other member; and the Secretary also gives me the same assurance. Therefore I propose to put before the House Mr. Puthupalli Krishna Pillai's amendment first.

The amendment reads :—

"Add the following to amendment No. 1 proposed by Mr. K. Kunjukrishna Pillai to the original motion that the Report of the Agricultural Debt Redemption Committee be taken for consideration :—

"Provided

That until the land mortgage Bank is reorganised as recommended by the A D. R. Committee.

(*a*) the present maximum of Rupees five hundred be not altered;

(*b*) that debentures be not issued,

(*c*) that the proposal for selling the secured land for defaulted instalments with the liability that the lands in the hands of the purchaser be liable for the future instalments as they fall due be not accepted;

(*d*) that no inducement be offered, before for after the recommended legislation that the land mortgage bank or Government will be prepared to advance money to the debts composed by conciliation."

MR. S. J. NAIR (*Nedumangad*): Sir, one point of order. We are at the fifth motion of Mr. Kunjukrishna Pillai.

DEPUTY PRESIDENT: We all know that.

MR. S. J. NAIR (*Nedumangad*): Now from the agenda we see that this amendment is to No. 1. So are we in order to effect this amendment at this stage ?

DEPUTY PRESIDENT: I am very sorry to observe that Mr. S. J. Nair has misconceived the situation. Amendment No. 1 consists of several parts. That we are on the fifth part does not negative the right of the Chair to put Mr. Puthupalli Krishna Pillai's amendment to the vote of the House. I wish members will understand the position clearly before raising such points of order when a proposition is before the House for voting.

I think it will be better to put the amendment part by part to vote. We are now dealing with a very serious question. For enabling people to make up their minds with regard to the various parts I exercise my discretion and put separate parts to the vote of the House.

That until the land mortgage bank is reorganised as recommended by the A. D. R. Committee.

(*a*) the present maximum of Rupees five thousand be not altered."

The amendment was put to the vote of the House and carried.

MR. S. J. NAIR (*Nedumangad*): I demand a poll.

A poll was taken and the House divided as follows :—

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AYES 29.

1 Mr. V. T. Chacko
2 ,, S. Chattanatha Karayalar
3 ,, P. Chidambaram Pillai
4 ,, A. S. Damodaran Asan
5 ,, A. Easwara Pillai (*Kallulam II*)
6. ,, A. Easwara Pillai (*Kottarakara*)
7 ,, N. John Joseph
8 ,, Menatheri N. Kesava Panickar
9 ,, K. P. Krishna Menon
10 ,, Pottayil S. Krishna Panickar
11 ,, N. K. Krishna Pillai
12 ,, Puthupalli S. Krishna Pillai
13 ,, T. Krishna Pillai
14 ,, K. Kunjukrishna Pillai
15 Mr. E. K. Kunjuraman
16 ,, M. K. Madhavan Pillai
17 ,, K. A. Narayana Pillai
18 ,, P. K. Narayana Pillai
19 ,, G. Nilakantan
20 ,, S. Nilakanta Pillai
21 ,, Edavanatt S. Padmanabha Menon
22 ,, Kainikkara M. Padmanabha Pillai
23 Rao Sahib S. Parameswara Aiyar
24 Mr. V. Ramakrishna Panickar
25 ,, K. Sankaran
26 ,, R. Sivaraman Nair
27 ,, M. Sivatanu Pillai
28 ,, A. Thanu Pillai
29 ,, T. P. Velayudhan Pillai

NOES—10.

1 Mr. N. Abdur Rahiman Sahib
2 ,, K. C. Abraham
3 ,, K. R. Elenkath
4 ,, Antony George
5 ,, M. Mahomed Haneef
6 ,, S. J. Nair
7 Mr. T. C. Joseph
8 ,, K. Mahomed
9 ,, P. C. Narayanan Bhattatiripad
10 ,, Pacode A. Narayana Pillai

NEUTRALS—17.

1 Mr. M. Govinda Pillai
2 ,, T. S. Jayantan Nambootiripad
3 ,, T. T. Kesavan Sastri
4 ,, K. M. Kuriakose
5 ,, P. C. Kurian
6 ,, C. O. Madhavan
7 ,, K. Madhavan
8 Srimati T. Narayani Amma
9 Mr. R. Nilakanta Pillai
10 ,, K. Padmanabhan
11 ,, Kayalam Parameswaran Pillai.
12 ,, R. Raman Pillai
13 ,, R. Sambasiva Aiyar
14 ,, S. Thiraviam Nadar
15 ,, T. C. Thommen
16 ,, G. B. E. Truscott
17 ,, N. E. Varughese

DEPUTY PRESIDENT. The next amendmend is "That until the land mortgage bank is re-organised as recommended by the A. D. R. Committee—

(*b*) that debentures be not issued,"

The amendment was put to the vote of the House and carried.

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DEPUTY PRESIDENT: The next amendment is "(c) That the proposal for selling the secured land for defaulted instalments with the liability that the lands in the hands of the purchaser be liable for the future instalments as they fall due be not accepted,"

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I may be permitted to withdraw that portion of my amendment.

DEPUTY PRESIDENT: I am very sorry that at this stage I am not able to comply with the application for withdrawal.

MR. K. R. ELENKATH (*Kalkulam I*): Can it not be done if the House has no objection?

MR. M. SIVATANU PILLAI (*Tovala*): The House has no objection.

DEPUTY PRESIDENT: Mr. Elenkath and Mr. Sivatanu Pillai must be able to see that before I take advantage of that suggestion, I must be satisfied. I am *not* prepared to put that question before the House. The question before the House has been whether that amendment be accepted or not.

The amendment was put to the vote of the House and lost.

DEPUTY PRESIDENT: The next amendment is: "(d) That no inducement be offered, before or after the recommended legislation that the land mortgage bankor Government will be prepared to advance money to the debts composed by conciliation"

The amendment was put to the vote of the House and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I demand a poll.

A poll was taken and the House divided as follows:—

AYES—22.

1	Mr. P. Chidambaram Pillai.	12	Mr. M. K. Madhavan Pillai
2	,, A. S. Damodaran Asan	13	,, Pacode A. Narayana Pillai
3	,, A. Easwara Pillai (*Kalkulam II*)	14	,, S. Nilakanta Pillai
4	,, A. Easwara Pillai (*Kottarakara*)	15	,, Edavanatt S. Padmanabha Menon
5	,, T. C. Joseph	16	,, Kainikkara M. Padmanabha Pillai
6	,, Pottayil S Krishna Panickar	17	Rao Sahib S. Parameswara Aiyar
7	,, N. K. Krishna Pillai	18	Mr. K. Sankaran
8	,, Puthupalli S. Krishna Pillai	19	,, R. Sivaraman Nair
9	,, T. Krishna Pillai	20	,, M. Sivatanu Pillai
10	,, K. Kunjukrishna Pillai	21	,, A. Thanu Pillai
11	,, E. K. Kunjuraman	22	,, T. P. Velayudhan Pillai

NOES—6.

1	Mr. N. Abdur Rahiman Sahib	4	Mr. T. S. Jayantan Namboo-tiri
2	,, V. T. Chacko	5	,, K. Mahomed
3	,, S. J. Nair	6	,, R. Sambasiva Aiyar

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NEUTRALS—24.

1	Mr. S. Chattanatha Karayalar	13	Mr. P. C. Narayanan Bhattatiripad
2	,, K. R. Elenkath	14	,, K. A. Narayana Pillai
3	,, Antony George	15	Srimati T. Narayani Amma
4	,, M. Govinda Pillai	16	Mr. G. Nilakantan
5	,, M. Mahomed Haneef	17	,, R. Nilakanta Pillai
6	,, N. John Joseph	18	,, K. Padmanabhan
7	,, Menatheri N. Kesava Panickar	19	,, Kayalam Paramesvaran Pillai
8	,, T. T. Kesavan Sastri	20	,, V. Ramakrishna Panickar
9	,, K. M. Kuriakose	21	,, R. Raman Pillai
10	,, P. C. Kurian	22	,, S. Thiraviam Nadar
11	,, C. O. Madhavan	23	,, G. B. E Truscott
12	,, K. Madhavan	24	,, N. E. Varughese

MR. N. E VARUGHESE (*Tiruvalla I*): How long are we to sit?

DEPUTY PRESIDENT: Mr. Varughese will have to sit as long as the House is prepared to sit and until I disperse the House.

MR. P. C. KURIAN (*Kottayam I*): Sir, I would like to go.

DEPUTY PRESIDENT: Please wait a bit, Mr. Kurien. I am at the counting of votes. There is no half way house in these matters.

I expect a little consideration. The result is 22 for; 6 against and curiously 24 neutral. However, the motion is carried.

What is that Mr. Kurien that you wanted?

MR. P. C. KURIAN (*Kottayam I*): I want to go, that is all. The only reason for asking is that I saw that the polling was taken very briskly. so that, if I leave the House, something——

DEPUTY PRESIDENT: Mr. Kurien wanted to go. I am very glad that you took advantage of my well-meant advice.

Mr. Varughese was prepared to sit till 7 o' clock.

MR. N. E. VARUGHESE (*Tiruvalla I*): But how long? There must be a limit.

DEPUTY PRESIDENT: I am not prepared to enunciate any such rule or give in advance what I propose to do. I propose to sit and the House will sit till all that we have to do has been done.

Now let us come to the other amendments. The next amendment is part (v) of Mr. Kunjukrishna Pillai's amendment. That is—

"that the suggestions for the development of the Land Mortgage Bank made in the Report must be accepted",

subject to the amendments of Mr. Puthupalli Krishna Pillai, accepted by the House.

This amendment was put to vote and carried.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I demand a poll.

DEPUTY PRESIDENT: I am prepared to allow a poll. But a Government member asks for a poll in this voting Any member has got a right to ask a poll at any voting.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government want to know the number of votes.

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DEPUTY PRESIDENT: When a member like Mr. Kayalam Parameswaran Pillai asks for a poll, I shall only be glad.

A poll was taken and the House divided as follows :—

AYES—45.

1 Mr. N. Abdur Rahiman Sahib
2 ,, K. C. Abraham
3 ,, V. T. Chacko
4 ,, S. Chattanatha Karayalar
5 ,, P. Chidambaram Pillai
6 ,, A. S. Damodaran Asan
7 ,, A. Easwara Pillai (*Kalkulam II*)
8 ,, A. Easwara Pillai (*Kottarakara*)
9 ,, M. Mahomed Haneef
10 ,, S. J. Nair
11 ,, T. S. Jayantan Namboo-tiri
12 ,, N. John Joseph
13 ,, T. C. Joseph
14 ,, K. C. Karunakaran
15 ,, Menatheri N. Kesava Panickar
16 ,, T. T. Kesavan Sastri
17 ,, K. P. Krishna Menon
18 ,, Pottayil S. Krishna Panicker
19 ,, N. K. Krishna Pillai
20 ,, Puthupalli S. Krishna Pillai
21 ,, T. Krishna Pillai
22 ,, K. Kunjukrishna Pillai
23 Mr. E. K. Kunjuraman
24 ,, K. M. Kuriakose
25 ,, K. Madhavan
26 ,, M. K. Madhavan Pillai
27 ,, K. Mahomed
28 ,, P. C. Narayanan Bhattatiripad
29 ,, K. A. Narayana Pillai
30 ,, Pacode A. Narayana Pillai
31 ,, P. K. Narayana Pillai
32 ,, G. Nilakantan
33 ,, S. Nilakanta Pillai
34 ,, K. Padmanabhan
35 ,, Edavanatt S. Padmanabha Menon
36 ,, Kainikkara M. Padmanabha Pillai
37 ,, V. Ramakrishna Panickar
38 ,, R. Raman Pillai
39 Rao Sahib S. Parameswara Aiyar
40 Mr. R. Sambasiva Aiyar
41 ,, R. Sivaraman Nair
42 ,, M. Sivathanu Pillai
43 ,, A. Thanu Pillai
44 ,, S. Thiraviam Nadar
45 ,, N. E. Varughese

NOES—2.

1 Mr. K. R. Elenkath
2 Mr. Antony George

NEUTRALS—6.

1 Mr. M. Govinda Pillai
2 ,, C. O. Madhavan
3 Srimati T. Narayani Amma
4 Mr. R. Nilakanta Pillai
5 Mr. Kayalam Parameswaran Pillai
6 ,, G. B. E. Truscott.

DEPUTY PRESIDENT: The next amendment is part (vi) which reads—

"that the interest on all amounts due to Government outstanding on 4-1-1110 should be reduced in proportion to the reductions proposed for payment due to private individuals and that greater liberality should be shown by Government in fixing the period of payment"

The amendment was put to vote and carried.

DEPUTY PRESIDENT: The next amendment is by Mr. T. P. Velayudhan Pillai, *viz*:

"(a) That for the original motion the following be substituted :

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"This Assembly accepts the opinion of the Committee that relief measures of a substantial nature are urgently called for".

The amendment was put to vote and carried.

DEPUTY PRESIDENT: The next amendment is part (*b*) of Mr. Velayudhan Pillai's amendment *viz*:

"This Assembly accepts the recommendations of the Committee egarding the arrest and imprisonment of the debtor".

The amendment was put to vote and carried.

DEPUTY PRESIDENT: The next amendment is part (f) *viz*:

"This Assembly accepts the recommendations of the Committee regarding the mortgages with possession (*otti*)".

The amendment was put to vote and lost.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): I demand a poll.

A poll was taken and the House divided as follows:

AYES—8.

1 Mr. K. R. Elenkath
2 „ Antony George
3 „ S. J. Nair
4 „ Menatheri N. Kesava Panickar
5 Mr. K. M. Kuriakose
6 „ K. Mahomed
7 „ Kainikkara M. Padmanabha Pillai
8 „ T. P. Velayudhan Pillai

NOES 25.

1 Mr. N. Abdur Rahiman Sahib
2 „ K. C. Abraham
3 „ S. Chattanatha Karayalar
4 „ M Mahomed Haneef
5 „ T. S. Jayantan Nambootiri
6 „ N. John Joseph
7 „ T. C. Joseph
8 „ T. T. Kesavan Sastri
9 „ K. P. Krishna Menon
10 „ N. K. Krishna Pillai
11 „ T. Krishna Pillai
12 „ P. C. Narayanan Bhattatiripad
13 Mr. P. K. Narayana Pillai
14 Srimati T. Narayani Amma
15 Mr. G. Nilakantan
16 „ S. Nilakanta Pillai
17 „ K. Padmanabhan
18 Rao Sahib S. Parameswara Aiyar
19 Mr. V. Ramakrishna Panickar
20 „ R. Raman Pillai
21 „ R. Sambasiva Aiyar
22 „ K. Sankaran
23 „ M. Sivatanu Pillai
24 „ A. Thanu Pillai
25 „ S. Thiraviam Nadar

NEUTRALS—21.

1 Mr. V. T. Chacko
2 „ P. Chidambaram Pillai
3 „ A. S. Damodaran Asan
4 „ A. Easwara Pillai (*Kalkulam II*)
5 „ A. Easwara Pillai (*Kottarakara*)
6 „ M. Govinda Pillai
7 „ Pottayil S. Krishna Panickar
8 „ Puthupalli S. Krishna Pillai
9 „ K. Kunjukrishna Pillai
10 „ E. K. Kunjuraman
11 Mr. C. O. Madhavan
12 „ K. Madhavan
13 „ M. K. Madhavan Pillai
14 „ K. A. Narayana Pillai
15 „ Pacode A. Narayana Pillai
16 „ R. Nilakanta Pillai
17 „ Edavanatt S. Padmanabha Menon
18 „ Kayalam Parameswaran Pillai
19 „ R. Sivaraman Nair
20 „ G. B. E. Truscott
21 „ N. E. Varughese

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MR. S. J. NAIR (*Nedumangad*): Is it permissible for members who have voted for or against, when a poll is demanded, to remain neutral?

DEPUTY PRESIDENT: There is no photograph taken of particular members when they are doing particular acts. Further that point of order does not arise. If, later on, there is substantial necessity for giving a ruling, I am prepared to give one. At present when the whole thing has been done, so long as Mr. Nair has not made any definite statement about any individual, I am not prepared to consider that statement.

MR. S. J. NAIR (*Nedumangad*): May I make———

DEPUTY PRESIDENT: Order, Order. I declare that Mr. Nair has not made any definite statement as to any particular thing. Anything that he may say hereafter is of no consequence.

Now before we disperse, I feel it my duty to say that, in the discussion of this difficult and important question, a wealth of learning and thought was made available to the House. At the tag end of the Session at this hour members have shown so much self sacrifice and I regard it as highly commendable.

The House will now adjourn *sine die*.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Before the Chair says so, will it be noted that there was no time to take up the other amendments.

DEPUTY PRESIDENT: I have already announced that the House will adjourn.

The House adjourned *sine die* at 5-58 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

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